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FAMOUS
Letters & Ultimatums
to the British Govt.

- 
- ★ TAGORE
 - ★ GANDHI
 - ★ V. J. PATEL
 - ★ SUBHAS BOSE
 - ★ BHAGAT SINGH
& B. K. DUTT
 - ★ ALLAH BUX
 - ★ SHYAMA PRASAD
MOOKERJEE
 - ★ FAZAL-UL-HAQ
AND OTHERS

Edited & Compiled by :

DURLAB SINGH

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Lahore.

Famous Letters & Ultimatums to the British Government

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DURLAB SINGH



1944

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6, LOWER MALL, — LAHORE

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PREFACE

The present compilation is the result of a recommendation from a U.P. friend. He met me in Calcutta in November 1943. He was a true patriot, a genuine nationalist, a restless youngman greatly interested in the political literature of the country. He had recently read my book "the Sentinel of the East," and in it Poet Tagore's historic Letter to the Viceroy renouncing his knighthood. He was thoroughly impressed by the unique way in which the Poet Patriot gave expression to his resentment. He had also read Khan Bahadur Allah Bakhsh's Letter to the viceroy renouncing his titles and Dr. Mookerjee's letter of resignation. "Will it not be possible to compile and publish in book form these and such other historic letters written from time to time by the Indian Leaders and statesmen to the representatives of the British Government?" was at-once a suggestion and a question put to me by the young friend. The idea appealed to my mind. I made some research and the result is the present volume.

As I went on collecting the letters I was feeling a sense of legitimate pride and inspiration. I honestly felt that it is going to be a collection of rare documents indispensable for any student of Indian politics. It will not only enable the readers, to grasp the true significance and an authoritative story of India's fight for freedom but will also show how India's self-respect

protested whenever her foreign masters attempted to crush the spirit of patriotism and perpetuate their domination on the helpless people. Every letter has its own tale to tell and gives a real insight into the spirit of self sacrifice and suffering that had guided the great people in the hours of their struggle.

The book covers practically whole range of important political correspondence but still I feel that the book is not as complete as I wanted it to be. I will be grateful therefore to receive suggestions for the next edition so that the book could be enlarged and made up-to-date.

I being the editor of the present compilation and essentially responsible for all the publications turned out by the Hero publications like to avail this opportunity to say a word to my permanent readers. This firm, which today with your kind patronage and affection and with the blessings and grace of thousands of well wishers in the country is assuming the position of a national institution had a very humble beginning. Neither there was any practical experience of the line at its back nor financial or literary resources at its disposal. During the small period of three or four years it struggled through all these difficulties and produced dozens of titles. I must confess, we produced books, which were not all standard or a serious study but in the atmosphere in which Hero Publications took its birth, the circumstances in which it was nourished, and the situations that it had to face at every step, there is no reason for it to be ashamed of its achievements.

We have produced popular literature which had its direct appeal to the minds of youngmen, we have produced a series of popular biographies which were widely accepted by the students community and thoroughly appreciated by the people and we have every reason to be proud of it that at such a critical time when the forces of nationalism had received a great set back in the coutry the Hero Publications kept the flag of freedom flying.

That first stage in its life is over now. If our books in the past have met your approval please help the development of Hero Publications into a really national publishing house and write your name and address on a post card and get yourself registered on our permanent mailing list and if in any case our books have failed to get your approval kindly send us your suggestions and look forward to our publications of historical importance which we have taken to publish now under strict supervision of an efficient staff.

I thank you readers for all your patronage and affection once again.

10th January, 1945
6, Lower Mall,
Lahore.

DURLAB SINGH

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I

Poet Tagore's Letter to the Viceroy renouncing Knighthood

(The massacre of Jallianwala Bagh and the Martial Law regime in the Punjab stands as one of the blackest spots in the two centuries of British administration in India. On April 13, 1919 when a peaceful meeting was being held, General Dyer entered the only path of the Bagh and ruthlessly shot sixteen hundred rounds. This event marks the beginning of the epic struggle between the Congress and the Government which later on made its appearance in the form of Non-cooperation, Salt Satyagrah and Quit India Movements. The whole of the country was stirred by the Tragedy. Gandhiji returned his Kaisar-i-Hind medal and organised country-wide agitation and Dr. Rabindra Nath Tagore who was conferred the distinction of knighthood for his unique and subtle intelligence felt helpless and humiliated. His self-respect protested and in the course of the following historic letter renounced his title.)

Your Excellency,

The enormity of the measures taken by the Government of the Punjab for quelling some local disturbances has, with a rude shock, revealed to our minds

the helplessness of our position as British subjects in India. The disproportionate severity of the punishments inflicted upon the unfortunate people and the methods of carrying them out, we are convinced, are without parallel in the history of civilised governments, barring some conspicuous exceptions, recent or remote. Considering that such treatment has been meted out to a population, disarmed and resourceless, by a power which has the most terribly efficient organisation for destruction of human lives, we must strongly assert that it can claim no political expediency, far less moral justification. The accounts of the insults and sufferings undergone by our brothers in the Punjab have trickled through the gagged silence, reaching every corner of India, and the universal agony of indignation roused in the hearts of our people has been ignored by our rulers—possibly congratulating themselves for imparting what they imagine as salutary lessons. The callousness has been praised by most of the Anglo-Indian papers, which have in some cases gone to the brutal length of making fun of our sufferings, without receiving the least check from the same authority, relentlessly careful in smothering every cry of pain and expression of judgements from the organs representing the sufferers. Knowing that our appeals have been in vain and that the passion of vengeance is blinding the noble vision of statesmanship of our Government, which could so easily afford to be magnanimous, as befitting its physical strength and moral tradition the very least that I can do for my

country is to take all consequences upon myself in giving voice to the protest of the millions of my countrymen, surprised to a dumb anguish of terror. The time has come when badges of honour make our shame glaring in the incongruous contact of humiliation, and I for my part wish to stand, shorn of all special distinction, by the side of those of my countrymen who, for their so-called insignificance, are liable to suffer degradation not fit for human beings. And these are the reasons which have painfully compelled me to ask Your Excellency, with due deference and regret, to relieve me of my title of Knighthood which I had the honour to accept from His Majesty the King at the hand of your predecessor for whose nobleness of heart, I still entertain great admiration,

Yours faithfully,

Rabindra Nath Tagore.

Calcutta :

6, Dwarka Nath Tagore Lane,

May 30, 1919.

II

Gandhiji's letter to the Viceroy returning Kaisar-i-Hind Gold Medal

(Mahatma Gandhi had great faith in the justice of the British. But when the Rowlatt bills were introduced in the country with a view to repress the popular demands and the British Prime Minister went back on his pledges his faith was rudely shaken. He, therefore, decided to cut all loyal connections and communicated his decision to the viceroy in the course of the following letter :—

Dated 1st August, 1920

To His Excellency the Viceroy :

It is not without a pang that I return the Kaisar-i-Hind Gold Medal granted to me by your predecessor to my humanitarian work in South Africa, the Zulu War Medal granted in South Africa for my Services as officer incharge of the Indian Volunteer Ambulance Corps in 1906 and the Boer War medal for my services as Assistant Superintendent of the Indian Volunteers Stretcher Bearer Corps during the Boer War of 1899-1900. I venture to return these medals in pursuance of the scheme of non-co-operation inaugurated today in connection with the Khilafat Movement. Valuable, as these honours have been to me, I cannot wear them with an easy conscience so long as my Mussalman countrymen have to labour under a wrong done to their religious sentiment. Events that have happened during the past

months have confirmed me in the opinion that the Imperial Government have acted in the Khilafat matter in a n unscrupulous, immoral and unjust mann er and have been moving from wrong to wrong in order to defend their morality. I can retain neither respect nor affection for such a Government.

The attitude of the Imperial and your Excellency's Government on the Punjab question has given me additional cause for grave dissatisfaction. I had the honour as your Excellency is aware as one of the Congress Commissioner's to investigate the cases of the disorders in the Punjab during April of 1919 and it is my deliberate conviction that Sir Mechael O' Dyer was totally unfit to hold the office of Lieutenant-Governor of Punjab and that his policy was primarily responsible for infuriating the mob at Amritsar. No doubt the mob excesses were unpardonable ; incendiari-sm, murder of five innocent Englishmen and the cowardly assault on Miss Sherwood were most deplorable and uncalled for. But the punitive measures taken by General Dyer, Col. Frank Johnson, Col. O'Brien, Mr. Boseworth Smith, Rai Shri Ram Sud, Mr. Malik Khan and other Officers were out of all proportion to the crime of the people and amounted to wanton cruelty and inhumanity almost unparalleled in modern times. Your Excellency's light-hearted treatment of the official crime, your exoneration of Sir Michael O dwyer, Mr. Montagus' despatch and above all the shameful ignorance of the Punjab 'events and callous disregard of the feelings of the Indians betrayed

by the House of Lords, have filled me with the greatest misgivings regarding the future of the Empire, have estranged me completely from the present Government and have disabled me from tendering, as I have hitherto wholeheartedly tendered my loyal co-operation.

In my humble opinion the ordinary method of agitating by way of petitions, deputations and the like is no remedy for moving to repentance a Government so hopelessly indifferent to the welfare of its charges as the Government of India has proved to be. In European countries, condonation of such grievous wrongs as the Khilafat and the Punjab have resulted in a bloody revolution by the people. They would have resisted at all cost national emasculation such as the said wrongs imply. But half of India is too weak to offer violent resistance and the other half is unwilling to do so. I have, therefore, ventured to suggest the remedy of non-co-operation which enables those who wish, to dissociate themselves from the Government and which, if it is unattended by violence, and undertaken in an ordered manner, must compell it to retrace its steps and undo the wrongs committed. But whilst I shall pursue the policy of Non-Co-operation in so far as I cannot carry the people with me, I shall not lose hope that you will yet see your way to do justice. I, therefore, respectfully ask Your Excellency to summon a conference of the recognised leaders of the people and in consultation with them find a way that would placate the Mussalmans and do reparation to the unhappy Punjab.

III

Gandhi's open letter to Lord Reading

Dated 9th February, 1922

To, His Excellency the Viceroy Delhi.

Sir,—Bardoli is a small tehsil in the Surat district in the Bombay Presidency, having a population of about 87,000 all told.

On the 29th ultimo, it decided under the presidency of Mr. Vithalbhai Patel to embark on mass civil disobedience, having proved its fitness for it in terms of the resolution of the All India Congress Committee which met at Delhi during the first week of November last. But as I am perhaps chiefly responsible for Bardoli's decision. I owe it to Your Excellency and the Public to explain the situation under which the decision has been taken.

It was intended under the resolution of the All-India Congress Committee before referred to, to make Bardoli the first unit for mass civil disobedience in order to mark the national revolt against the Government for its consistently criminal refusal to appreciate India's resolve regarding the Khilafat, the Punjab and Swaraj.

Then followed the unfortunate and regrettable riots on the 17th November last in Bombay resulting in the postponement of the step contemplated by Bardoli.

I shall refuse to live—and it is for me to decide whether I choose to live or to die.”

“ Though there may be no immediate, tangible gain, no sacrifice is ever futile. It is through suffering and in every age and clime the eternal law prevails—“the blood of the martyr is the seed of the church”. ”

“ In the mortal world, everything perishes and will perish—but ideas, ideals and dreams do not. One individual may die for an idea—but that idea will, after his death, incarnate itself in a thousand lives. That is how the wheels of evolution move on and the ideas, the dreams of one generation are bequeathed to the next. No idea has ever fulfilled itself in this world except through an ordeal of suffering and sacrifice.

“ What greater solace can there be than the feeling that one has lived and died for a principle ? What higher satisfaction can a man possess than the knowledge that his spirit will beget kindred spirits to carry on his unfinished task ? What better reward can a soul desire than the certainty that his message will be wafted over hills and dales and over the broad plains to every corner of his land and across the seas to distant lands ? What higher consummation can life attain than peaceful self-immolation at the altar of one’s cause ?

“ Hence it is evident that nobody can lose through suffering and sacrifice. If he does lose anything of the earth earthly, he will gain much more in return, by becoming the heir to a life immortal.

“ This is the technique of the soul. The individual must die, so that the nation may live. To-day I

must die so that India may live and may win freedom and glory.

“To my countrymen I say—“Forget not that the greatest curse for a man is to remain a slave. Forget not that the grossest crime is to compromise with injustice and wrong. Remember the eternal law—you must give, if you want to get it. And remember that the highest virtue is to battle against iniquity, no matter what the cost may be.”

“To the Government of the day I say—“Cry halt to your mad drive along the path of communalism and injustice. There is yet time to retrace your steps. Do not use a boomerang which will soon recoil on you. And do not make another Sind of Bengal.”

“I have finished. My second and last request to you is that you should not interfere forcibly with my fast but should permit me to approach my end peacefully. In the case of Terence Mac Swiney, of Jatin Das, of Mahatma Gandhi and in our own case in 1926—Government did decide not to interfere with the fast. I hope they will do the same this time...otherwise any attempt to feed me by force will be resisted with all my strength—though the consequences thereof may be even more drastic and disastrous than otherwise. I shall commence my fast on the 29th November, 1940.”

XI

Khan Bahadur Allah Bakhsh's Letter to the Viceroy renouncing his titles.

"I beg to inform Your Excellency that I have decided to renounce both the honours I hold from the British Government as I feel I cannot consistently with my views and convictions retain them any longer.

"India has been struggling for the national freedom for a long time past. Upon the outbreak of the present war it was hoped that under the very principles and ideology, in defence of which the Allies were waging in a titanic conflict, India would be made free and participate in the world struggle as a free country. Convinced as I am that India has every right to be free and that the people of India should have conditions in which they could live in peace and harmony, the declaration and action of the British Government have made it clear that, instead of giving their co-operation to the various Indian parties and communities in settling their differences and parting with power to the people of the land and allowing them to live happily in freedom and mould the destinies of their country according to their birthright, the policy of the British Government has been to continue their imperialistic hold on India and persist in keeping her under subjection, use the political and communal

differences for propaganda purposes, and crush the national forces to serve their own imperialistic aims and intentions.

"The latest* speech delivered by Mr. Winston Churchill in the House of Commons has caused the greatest disappointment to all men of goodwill who wish to see rendered to India justice which is long due to her. As that hapless pronouncement withholds such justice from India and adds to the volume of evidence that Britain has no desire to give up her imperialistic hold on India, I feel I cannot retain the honours I hold from the British Government which in the circumstances have arisen I cannot but regard as token of British Imperialism."

**Mr. Churchill's Speech on India September
10, 1942.**

"The course of events in India has been improving and is on the whole reassuring. The broad principles of the declaration made by the British Government which formed the basis of the mission of the Lord Privy Seal (Sir Stafford Cripps) to India must be taken as representing the settled policy of the British Crown and Parliament. These principles stand in their full scope and integrity. No one can add to them and no one can take anything away.

"The good offices of Sir Stafford Cripps were rejected by the Indian Congress Party. This, however,

*Mr. Churchill's Speech is appended hereto for the information of readers,

does not end the matter. The Indian Congress Party does not represent all India, (cheers). It does not represent the majority of the people of India (cheers). It does not even represent the Hindu Masses, (cheers). It is a political organisation built around a party machine and sustained by certain manufacturing and financial interests (cheers and laughter). Outside that party and fundamentally opposed to it are 90 million Muslims in British India (there a member interjected 'Nonesense' and there were cries of 'order') who have their rights of self-expression, 50 million depressed classes or untouchables, as they are called, because they are supposed to defile their Hindu co-religionists by their presence or by their shadow, and 90 million subjects of the princes of India with whom we are bound by treaty. In all there are 235 millions in these three large groupings alone out of the 390 millions in all India. This takes no account of the large elements among Hindus, Sikhs and Christians in British India who deplore the present policy of the Congress party.

"It is necessary that these main facts should not be overlooked here or abroad because no appreciation of the Indian problem or of the relations between India and Britain is possible without recognition of these basic data. The Congress party has now abandoned the policy in many respects of non-violence which Mr. Gandhi has so long inculcated in theory and has come into the open as a revolutionary movement designed to paralyse communications by rail and telegraph and generally to promote disorder, looting of

shops and sporadic attacks on the Indian police accompanied from time to time by revolting atrocities—the whole having attention or at any rate effect of hampering the defence of India against the Japanese invader who stands on the frontier of Assam and also upon the eastern side of the Bay of Bengal.

“It may well be that these activities by the Congress party have been aided by Japanese fifth column work on a widely extended scale and with special direction to strategic points. It is noteworthy, for instance, that communications of the Indian forces defending Bengal, the Assam frontier have been specially attacked. In these circumstances the Viceroy and the Government of India with the unanimous support of the Viceroy’s council, the great majority of which are Indians patriotic and wisemen—have felt it necessary to proclaim and suppress the central and provincial organs of this association which has become committed to hostile and criminal courses. Mr. Gandhi and other principal leaders have been interned under conditions of the highest comfort and consideration and will be kept out of harm’s way until the troubles subside. It is fortunate indeed that the Congress party has no influence whatever with the martial races on whom the defence of India, apart from the British forces, largely depends. Many of these races are divided by unbridgeable religious gulfs from the Hindu Congress and would never consent to be ruled by them nor shall they ever be against their will so subjugated. (Prolonged cheers).”

Mr Churchill resumed ; "There is no compulsory service in India, but upwards of one million Indians have volunteered to serve the cause of the United Nations in this world struggle. The bravery of Indian troops has been distinguished in many theatres of war and it is satisfactory to note that in these last two months when the Congress has been measuring its strength against the Government of India 140,000 new volunteers for the army have come forward in loyal allegiance to King Emperor, thus surpassing all records in order to defend their native land.

"So far as matters have gone upto the present, they have revealed the impotence of the Congress party either to subdue or even to sway the Indian army, to drag from their duty the enormous body of Indian officials or, still less, to stir the vast Indian masses, India is a continent almost as large and actually more populous than Europe and divided by racial and above all, religious differences far deeper than any that have separated the Europeans. The whole administration of the Government of 390 millions who live in India is carried on by Indians, there being under 600 British members of the Indian Civil Service. All public services are working. In five provinces including two of the greatest and comprising 110 million people provincial Ministers responsible to their Legislatures stand at their posts. In many places both in town and country the population has rallied to the support of the civil power. The Congress conspiracy against communications is breaking down. Acts

of pillage and arson are being repressed and punished with an incredibly small loss of life. Less than 500 persons have been killed over this mighty area of territory and population and it has only been necessary to move a few brigades of British troops here and there in support of the civil power. In most cases rioters have been successfully dealt with by the Indian police. I am sure the House would wish me to pay a tribute to the loyalty and steadfastness of the brave Indian police as well as to the Indian official class generally whose behaviour has been deserving of the highest praise. To sum up: The outstanding fact which has so far emerged from the violent action of the Congress Party has been its non-representative character and powerlessness to throw into confusion the normal peaceful life of India. It is the intention of the Government to give all necessary support to the Viceroy and his executive in the firm but tempered measures by which they are protecting the life of the Indian communities and leaving the British and Indian armies free to defend the soil of India against the Japanese.

“ I may add that large reinforcements have reached India and that the number of white soldiers now in the country, although very small compared with its size and population, are larger than at any time in the British connection. I, therefore, feel entitled to report to the House that the situation in India at this moment gives no occasion for undue despondency or alarm.”

XII

Dr. S. P. Mookerjee's letter of Resignation:

Dr. Syama Prasad Mookerjee, Minister for Finance, Bengal Government resigned his office on November 16, 1942, as a protest against the Central Government's policy with regard to the political situation in the country, and what he regarded as the Bengal Governor's constant encroachments in the field of the Ministers. Below is the full text of his letter to the Governor :—

Calcutta Nov. 16, 1942.

Dear Sir John.

I have decided to resign from my office as minister. My formal letter of resignation is sent to you through the Chief Minister. A copy of my letter to him is enclosed. In this letter I propose to place on record the main events which have led me to take this step. When I accepted office nearly a year ago I was fully aware of the task I was undertaking. The province was then surcharged with communal tension almost unprecedented in its history. The war situation was also fast developing in to serious proportions and the problem of strengthening the defence of the country was certainly one and required the combined co-operation of Government and the People. I have striven during the period of my office to maintain a

healthy comunal atmosphere, believing as I do, that this province can never advance unless the two great communities comprised within it feel that its administration is being carried on in a fair and just manner. I have also maintained that in the interest of India herself our national war efforts must be strengthened and vitalized. I have not however always seen eye to eye with you in regard to the manner and method of mobilizing public opinion in favour of the country's defence.

I shall not recapitulate all the matters I had discussed in my letters to you in March and July last and also in my letter to the Viceroy on August 12 last. They are to be read along with this letter in order to appreciate how I have tried over and again to persuade Government to change its present barren policy but failed to produce any tangible results.

Broadly speaking my reason for resignation are two fold. First as I intimated to you at the earliest of opportunity on August 9 last, I disapprove of the policy adopted by the British Government and the Government of India with regard to the present political situation in the country. I am aware that you, as a provincial Governor have hardly any responsibility for the formulation of this policy. But my second reason mainly concerns you. And that is connected with the manner, in my opinion unwarranted, in which you have interfered with the work of the ministry and have rendered so called Provincial autonomy into a meaningless farce. Although you could not

country did only approve of the steps that I along with others had taken. I got into touch with all the important political parties except the Congress and when I asked for permission to interview Mahatama Gandhi and other Congress leaders, my request was rejected by the Viceroy.

I have all long felt that the principal responsibility for settling the present deadlock must rest with the Government. The deadlock will not be solved until and unless Government makes up its mind to transfer power to Indians. Immediate establishment of composite National Government at the centre and in the provinces enjoying real power and pursuing an all-out Defence policy, co-ordinated with the general war policy of the Allied Powers, is essential as much for India's welfare as for that of the Allied Power themselves. We want to regard ourselves just as free to mould our destinies as Englishmen would like to feel in the land of their birth. Lack of Indian unity is a false plea put forward by British spokesmen. No political advance in the past was made conditional upon complete unity within India. If British Government decides to transfer real power and not play the old game of 'divide and rule', the parties must unite in their own interests. Those who do not unite, inspite of real transfer of power, will automatically fall in the background. The fact is that the British Government wishes to hold India under its way at any cost. The demand of India is simple and straightforward. As a slave cannot fight wholeheartedly for any noble cause.

India wants that she should be a free country and she should fight along with other free nations for the liberation of humanity against the onslaught of Axis Powers. You have enjoyed freedom in your own country for too long a period to realize fully what it means to be a subject-race that feels oppressed and down-trodden. The tragedy of it all is that at this critical hour when large territories under British rule in the East have been snatched out of its control mainly on account of its failure to fill the minds of their native people with a burning zeal for maintaining their integrity—one must have freedom before one can die for it—it should even now persist in following the same mistaken policy with regard to the Indian people.

If it is a crime to aspire to see one's country free and shake off foreign domination, including British, every self-respecting Indian is a criminal. There are administrators in India who dream constantly of fifth columnists walking on the roads and lanes of Indian towns and villages. These estimable gentlemen themselves belong to this category, if treachery to India's genuine interests is the real criterion of a fifth columnist in India. The great bulk of the Indian people can have possibly no sympathy with Japan or with any other Axis Power. Why should we Indians be at all anxious to invite Japan to this country? We want you to return to your own home safely and as speedily as possible, and does it stand to reason that we would welcome a new master with fresh vigour and unsatisfied lust for widespread possession? We want to be rid of alien

able altogether. We want this country to belong to and to be governed by ourselves. India has for a long time allowed herself to be sacrificed at the altar of Imperial greed. The doctrine of benevolent trusteeship stand exploded and you can no more throw dust into our eyes. Indian representatives therefore demand that the policy of administration of their country in all spheres, political, economic and cultural, must be determined by Indians themselves, unfettered by irritating acts of unsympathetic bureaucrats and bungling Governors. There was however ample room for mutual help and trust between England and India for, after all, it is a common menace that threatens both today. We recognize that the war must for the present absorb our whole attention, but only with a free and willing partnership between India on the one hand, and England and other Allied nations on the other, could we have fittingly organized ourselves for keeping the enemy out of our own country and saving the cause of the Allied nations themselves. The British Government has failed to realize that India cannot be roused to a passionate fervour and devoted activity, such as is witnessed in Russia and China, unless Indians feel that they are free men and their freedom is to be saved, no matter at what sacrifice.

These are natural sentiments fully consistent with the declared war aims of the Allied nations. If you are sincere in your assertion that you are anxious for a new world order and want to see that the cause of human freedom is never again imperilled, why

should you hesitate to do a little act of self-abnegation by acknowledging India's freedom and thus save yourselves from being branded as guilty of hypocrisy? Instead of doing what is just and natural, for three months Government has carried on a reign of repression, which will serve as a good model to those deeply attached to totalitarian rules of conduct and whose alleged misdeeds are widely circulated through British agencies. During these months people have lost their fear of bullets. What can possibly be your next sanction to hold India in chains? Today India seethes with discontent and bitterness. It is the easiest thing in the world to fight with a people that are unarmed and defenceless. Some of the British spokesmen have said that India or a section of the country has declared war. If that is their belief, then let arms be provided to Indians and let the fight take place on a basis of equality. The most dangerous symptom today is that people feel so completely frustrated at the turn that events have taken that they would welcome any change to get rid of the present tyranny.

It is indeed regrettable that men responsible for Indian administration should have forgotten the simple truth that Britain cannot fight India and the Axis Powers together. On account of sheer bankruptcy of statesmanship, much goodwill and co-operation on the part of Indians have been allowed to flow in the channel of distrust and resentment. Many of the administrators have lost their equilibrium and cannot hide their animosity towards Indians as a class. I am not

suggesting that many of the senseless acts of outrage and sabotage committed during the last three months will help us to obtain our country's freedom. Let lawlessness be checked. But that is not the only problem. Violence and counter-violence have moved in a vicious circle and vitiated the atmosphere of the country today. You have failed to go to the root cause of the Indian unrest. It is the hunger of liberty that is to be satisfied, if peace is to reign in India again. Mere suppression of external manifestations of disorder by force, or worse still, a deliberate policy of terrorism, without any attempt to move along constructive lines to satisfy the legitimate aspirations of India only widens the gulf of difference between Britain and India and is hardly of any good to either country or to the cause of world freedom. India cannot be held against her will merely at the point of bayonet. Notes of warning are being sounded by well-meaning Britishers in their own country and here, and also by influential sections of public opinion in America and China. But a false sense of power, prestige, and possession chokes the voice of reason and justice.

I wish I could have closed my letter at this point and had not to refer to your own administration which has also contributed in no small measure to the worsening of the situation. In my letter to you written in July last I had given an idea of my feelings of dissatisfaction and disappointments at the manner in which I had seen you administer the affairs of this province. With much apparent goodwill you have bungled stage

after stage. For the first time since the Reforms of 1919, Bengal had a Ministry enjoying the support of large sections of Hindus and Muslims. Parties and persons who were violently opposed to each other on political and communal considerations had agreed to stand on a common platform for the good of the people specially during the period of war. There are certain people occupying high positions in this country and also abroad, who for obvious reasons do not like a strong combination of Hindu and Muslim elements. The co-operation offered by us was not responded to by you and a certain section of the permanent officials. I regret to say that from the very beginning of our association with you, you have failed to rise to that impartial height of a provincial Governor which could have given you courage and foresight to respect the Constitution, establish new conventions and broaden the base of the provincial administration so as to win the affection and confidence of the people. You have all along permitted yourself to be guided by a section of permanent officials—loyal die-hards, according to you ; short-sighted and reactionary, according to us—resulting in the establishment of a government within a government which has proved disastrous to the interests of the province.

I shall not go into details. But let me remind you that you showed no sympathy whenever proposals for the recognition of the people's rights [in various fields of activity were made. They were turned down by you because of deep-rooted distrust and suspicion.

Our proposal for raising a Bengal Army was not acceptable to you for reasons which would not even bear scrutiny. This alone would have revolutionized public opinion in Bengal. The scheme for popularizing the Home Guard was rejected by you in spite of unanimous advice of all the Ministers, simply because you and your officials were afraid of trusting the people. You have systematically resisted the appointment of Parliamentary Secretaries and the expansion of Cabinet, just to embarrass the Ministry. Even before the Congress started any movement, you declined to give back to thousands of Bengalees their freedom which had been denied to them on suspicion or for participation in political movements, although we were prepared to take full responsibility for their future behaviour and activities consistent with the war situation. Recommendations for individual releases or even for temporary relaxation were turned down by you, utterly oblivious of any assurance given by us. In matters relating to the Denial Policy you failed to realize the untold suffering into which thousands of people would be thrown and the discontent that was bound to follow ; and only after a good deal of efforts could that policy be only slightly modified. We do not yet know what plans have been kept ready for destruction of plants, machinery and other properties in case of enemy invasion. Even in matters relating to supply of food and control of supplies you have interfered with ministerial action and have rendered our task extremely embarrassing. You have discouraged the growth of

collective responsibility among Ministers while taking momentous decisions on vital issues. Ministerial advice has been brushed aside in regard to selection and posting of officers, while your unabashed softness for the present Opposition Party is in marked contrast to the treatment we used to receive in a similar capacity when the last Ministry was in office. Even with regard to a simple question like prorogation of the last session of the Assembly, you have declined to accept our advice. Indeed I did not even receive a reply from you to my letter written early in October, pointing out how the Province had to incur wasteful and avoidable expenditure due to your decision not to prorogue the Assembly, simply to harass the Ministry. In matters affecting the rights and liberties of the people you have constituted yourself into an appellate authority and you claim to act in exercise of your special powers under the Government of India Act. I have repeatedly told you that this is an absurd situation. During the war you can function with success only if you regard yourself as primarily responsible to the people of this province and act on the advice of their chosen representatives. But you have regarded yourself as one who is beyond anybody's control, enjoying powers without being required to give account to any other authority. You have expressed your annoyance from time to time, that Ministers are not more active in rousing public opinion in respect of matters relating to war or the general political situation. You will not allow Ministers to function and administer according to their own light

and judgment. You and some of your officers will commit Government to policies and acts which Ministers do not approve of and afterwards you expect them to stand up as obedient persons fully justifying the ~~acts~~ of your mistaken policy. The brunt of the ~~back talk~~ ^{is thrown} on Ministers. The legislature is ~~prevented~~ from criticizing or commenting on the Government.

a. You in your turn do not hesitate to go beyond the spirit of the provisions of the Government of India Act and the Instrument of Instructions, thus reducing ministerial administration to a mockery.

But the most difficult situation has been created by the manner of suppression of the political movement. I have told you repeatedly that while it is the duty of any Government to suppress lawlessness and that acts of lawlessness are not committed or that disturbances are not created specially during this grave emergency, Government must not in any manner provoke a crisis or encourage or make it possible for officers to commit excesses or to inflict injury on innocent people. Where persons deliberately commit offences, they must face the consequences of the law. But in spite of our best efforts, indiscriminate arrests have been made, innocent persons assaulted and shot down and oppression has been carried on in some parts in a manner hardly creditable to any civilized Government. The fact that some British prisoners of war under German control were put under fetters roused the loud and angry protests of the British Government and its sup-

porters. Can you not express even a fraction of that moral indignation for similar and even worse outrages committed on Indians by the agents of the British Government itself? You have persistently refused to have allegations enquired into and have also helped the treatment we of publication of accurate news. In the last Movement took a grave turn. We and none can say anything in respect of any legitimate measures taken to deal with persons guilty of serious offences against the law. But in Midnapore repression has been carried on in a manner which resembles the activities of Germans in occupied territories as advertised by British agents. Hundreds of houses have been burnt by the police and the armed forces. Reports of outrages on women have been made. Muslims have been instigated to loot and plunder Hindu houses; or the protectors of law and order have themselves carried on similar operations. Orders were issued from Calcutta that it was not the policy of Government that houses should be burnt by persons in charge of law and order. I have ample evidence to show this order was not carried into effect and even after the unprecedented havoc caused by the cyclone on October 16 and our visit to the affected areas a fortnight later, the burning of houses and looting were continued in some parts of the district. Apart from the manner in which people were fired at and killed, these acts of outrage committed by Government agencies are abominable in character. Let us condemn by all means acts of lawlessness

perpetrated by volunteers. To my knowledge they did not take the life of any Government servant. In any case the wrongs perpetrated by breakers of law and order are no justification whatsoever for the upholders of law and order to terrorise innocent people and to oppress one and all in a ruthless manner.

The reports which I have received about the callousness and indifference of some of the officers even after the cyclone perhaps find no parallel in the annals of civilized administration. The suppression of news of the havoc by Government, and even of appeals for help, for more than a fortnight was criminal. In the presence of the District Magistrate complaints were received that boats were not made available on that fateful evening or even later to save the lives of the people who were perilously resting for a brief while on the roofs of their houses that ultimately collapsed. One gentleman gave a harrowing description of the manner in which he and others begged of officers to allow a boat found by them to ply for a couple of hours in order to rescue some men, women and children lying near the area concerned. This request was summarily rejected and the men who had used the boat were threatened with dire consequences. Later on, all the people whom this party wanted to rescue were washed away, never to be found again. After the cyclone curfew orders are continuing even in areas where people offered every co-operation. Our intervention in this respect proved fruitless. Transport facilities and movements were extremely restricted even when we visited the district a fortnight later.

Cows were requisitioned under the Defence of India Rules. The total destruction of cattle owing to flood and storm would be somewhere between 70 and 85 per cent. Of the cows that remained, although they were giving milk and some were with calf, a good many were snatched away from private houses by the police and the military for the purpose of feeding the troops. Such inhuman callousness is indeed unparalleled. One officer's report in writing to Government was that relief, whether organized by Government or any private agency, should be withheld for a month and thereby people taught a permanent lesson. Relief measures adopted by local officers were utterly inadequate. Even *bona fide* private relief workers from Calcutta, though they produced their credentials, found themselves in jail under the Defence of India Rules. There is no chance on our part to get these officers removed from that area because prestige will then suffer. There is no chance of any inquiry being held, although other Provincial Governments have held inquiries, under far less serious circumstances, for then again prestige will suffer. The only chance that people of this province apparently have is to suffer patiently at the hands of the upholders of law and order and wait for the day when nemesis is bound to come.

We have been told that there are indications that political agitation is still in progress in some parts of Midnapore. These may have been sporadic outbreaks but from my personal knowledge I can definitely state that the bulk of the people, including suppo

Congress, genuinely want peace to be restored immediately. From my talks with many inside and outside the Midnapore Jail I am satisfied that if officers dealt with the situation with tact and sympathy, subversive activities would completely stop and the whole of Midnapore would rise to a man to work whole-heartedly with Government for giving relief. It is disgusting how valuable time has been wasted for one month because of the apathetic and dilatory attitude of some of the local officers on the one hand and the strange obstructiveness of some of the representatives of the department of law and order in Calcutta, on the other. Meanwhile, thousands are suffering for want of food, shelter, medicine, clothings and drinking water. The present methods of persecution and slow action are both cruel and fatal and they will not die out nor the atmosphere improve until some officers are transferred from the district. Ministers feel that both for the current maintenance of law and order and for the sake of suffering humanity this should be done immediately, but they are powerless to give effect to it. You too declined to accept our advice in this respect. Could you not as Governor issue in time a public message of sympathy,—the Viceroy could do it—for the unprecedented loss following the flood and cyclone, costing the lives of at least thirty thousand people and colossal destruction of cattle and property, a havoc which British troops describe as similar to the worst ravages that may be caused by enemy bombing? Let an impartial inquiry be conducted into the affairs of Midna-

pore and the correct version on both sides see the light of the day. Will you have the courage to agree to this ?

The manner in which collective fines have been imposed by Government throughout the province deserves severe condemnation. The scheme of imposition of collective fine on Hindus alone, irrespective of their guilt, has been an all-India feature and is a British revival of the ancient policy of *Jizia* for which Aurangzeb made himself famous. In Bengal the Chief Minister had been averse to the imposition of such fines and tried again to lay down certain principles which were unimpeachable from the point of view of elementary justice. You have interfered with the Chief Minister's decision and have prevented him from giving effect to these directions. Amounts have been imposed in many cases without any regard to the total damage caused or to the part played by the inhabitants concerned, In at least one case I know the Collector was not even consulted, in some others local officers were invited by Government itself to propose the imposition of fines. I have carefully examined the papers with regard to a number of these cases and the monstrosity of the imposition has staggered me. I challenge you to place the materials on which decisions have been taken before any impartial judge and I have not the least doubt that in most cases the verdict will be that the fines are not at all leviable in accordance with the provisions of the Ordinance, or that the discrimination made is completely unjustifiable or that

the amounts fixed are entirely disproportionate in character. Fines have been imposed in many cases without the Chief Minister knowing what was being done. Only recently it was suggested by the Chief Minister that the realization might be delayed by a fortnight and the entire policy considered at a Cabinet meeting. Your answer to this request, which was made on behalf of us all, was in full conformity with the traditions which you had already established. You had no objection to a Cabinet meeting being held. But you indicated beforehand with sufficient clearness, but with unbecoming impropriety and discourtesy to Ministers, that you would in any case pass orders in exercise of your individual judgment for the immediate collection of the fines.

It is amazing how in every matter concerning the rights and liberties of the people or where racial considerations were likely to arise, you have acted with singular indifference to the genuine interests of the people of this province. A difficult and tense situation such as the present, might have been eased by a policy of administration actuated by sympathy, understanding and goodwill. Irresponsible possession of powers by persons without a high degree of administrative ability, ignorant of Indian mind and conditions and blindly guided by unsympathetic bureaucrats, leads to disastrous consequences during the period of war. If ever a time comes when an impartial stock is taken of what you and others did and omitted to do, the verdict will be that at a critical hour you hopelessly failed to serve a

province of great strategic importance, although, if correctly approached, its people were capable of being roused to an intense patriotic fervour and would have readily agreed to face any sacrifice and suffering for saving their own country from the impending invasion of the enemy. What you and others have done has only helped the enemy who cares not for our future. Whatever happens it is we, the people of the land, who will suffer as much at the hands of our so-called protectors as of the avowed destroyers. Military matters are kept dead secret from us. We still hope Bengal and India will be successfully defended. But if the worst happens, you and others, who now feel overpowered by special responsibilities will, like your friends similarly situated in Burma, desert the province, we remaining here, unarmed unprepared and emasculated, to face your parting bullets and the yet unknown operation of the Denial Policy on the one hand ; and the oppression of the invading enemy, on the other. And yet with goodwill and statesmanship on your side to which the great bulk of Indians would have warmly responded, what a bulwark a Free India and the Allied Nations would jointly have been against the combined force of the Axis Powers ?

I am sorry that our official association should end like this at this critical hour in the history of my province. I honestly feel I can be of no use to my countrymen or to you by remaining in office so long as the general all-India policy remains what it is and the province is administered by you on lines which

I consider inimical to its best interest.

Yours Sincerely.

Syama Prasad Mookerjee.

PRESS STATEMENT

CALCUTTA, November 23, 1942.

Dr Syama Prasad Mookerjee, whose resignation was accepted by the Governor with effect from November 20, issued today a statement to the Press in which he says:....."It will be idle for me to deny that we (the Cabinet) did pass through a period of constant struggle, a struggle between us and those administrators who still fondly cling to the old ideas of Imperialism, and believe that India can be ruled for ever against the will of her people. I have expressed my disapproval of the policy pursued by Government. No Government can allow serious disturbances of public order to take place specially during a period of grave emergency without detriment to the welfare of the country as a whole. But I felt and I do feel now that mere suppression of external manifestations of discontent is not the sole function of a Government calling itself civilized and progressive and fighting the doctrine of totalitarianism out of existence. The problem in India today is that we Indians have not the power to mould the destinies of our country, according to our will to maintain the integrity and freedom of our country. We do not want the domination of Axis Powers or of any foreign rule. We want the era of Indian slavery to end for

good. There was and is ample room for co-operation between a Free India and the Allied Nations to fight the menace of Axis aggression.

The continuance of the present deadlock is inevitable so long as the policy of the British Government remains unchanged. I did my best during the last three months to mobilise public opinion in favour of a settlement which would be consistent with the legitimate rights and aspirations of the Indian people and at the same time vitalise the national defence of India in full collaboration with the Allied Powers. There was however no response whatsoever from Government. The real obstacle to a settlement is not Indian disunity but the unwillingness on the part of the British Government to transfer power to Indians The Constitution that functions under the so-called Provincial Autonomy is a colossal mockery. My experience as a Provincial Minister for 11 months justifies me in stating clearly and categorically that Ministers, while possessing great responsibilities for which they are answerable to the people and the Legislature, have very little powers, specially in matters concerning the rights and liberties of the people. In Bengal a dual Government has functioned during the last one year. The Governor has chosen to act in many vital matters in disregard of the well-wishes of the Ministers. If the British Prime Minister or the Secretary of State has the courage to direct an enquiry into the manner in which popular rights have been disregarded against the advice of responsible Ministers, the hollowness of their claim that Dominion Status is already in action to India will stand exposed.....

XIII

The Story of Mr. Fazal Haq's resignation.

(His statement on the floor of the Assembly and his historic Letters to the Governor.)

Mr. Speaker, Sir,

We meet to-day in this House under circumstances almost unique in the history of Provincial Autonomy in India. We last met on the 29th March, 1943, and our parting on that fateful morning took place under dramatic circumstances. During this interval of a week and three months, events have taken place which have shaken the constitution to its very foundations and exposed the mockery of Provincial Autonomy. The House will recollect that as soon as we met on the last day of the Budget session, I was questioned by Mr. Kiran Sankar Roy and others whether I had resigned my office as Chief Minister and if so, whether my resignation had been accepted. I replied to both the questions in the affirmative, but my replies were necessarily confined to giving information on the specific points raised and did not give a detailed account of the circumstances under which I was dexterously pushed out of office. The House was adjourned, and during the recess, I related on different occasions the circumstances under which I was made to sign a previously drafted and typed document, purporting to be my letter of resignation as Chief Minister.

I thought that these statements gave the public a fairly accurate idea of the manner in which my term of office as Chief Minister had been made dramatically to terminate, and I need make no further statements in this House. I have however been surprised to find that the Secretary of State for India has been making, or, is being made to make, statements in Parliament regarding the circumstances relating to my resignation which contain incorrect versions of what had actually taken place and also insinuations which I cannot allow to pass unchallenged. In the course of his statements in Parliament, the Secretary of State for India has remarked that I had voluntarily resigned and that my resignation and subsequent events "had occurred in the course of procedure under provincial representative institutions." The language used by the Secretary of State was mysterious, if not meaningless. I sent a telegram to the Secretary of State definitely protesting against his incorrect version of events and requesting him to ascertain facts before he publicly committed himself to any account of what had taken place. I also sent a telegram to His Excellency the Viceroy urging him to cable correct facts to the Secretary of State for India. To this I received a reply that the Governor had been in communication with the Secretary of State and with regard to variations between my version and that of the Governor, the Secretary of State felt satisfied that the version of the Governor was correct.

I confess I was not surprised at this reply to my protests. It was quite in keeping with "the course

of procedure under provincial representative institutions in India." It is the policy of shutting both your eyes to what your official subordinates may be doing, known popularly as the policy of backing the man on the spot. It is the policy which encourages officials in India to do whatever they like, confident in the belief that whatever may be the measure of their guilt on any occasion, they will be supported all along the line by their official superiors. It is the policy which enabled Sir John Herbert, acting in "the course of procedure under representative institutions" to refuse any enquiry into the shooting tragedies in the Dacca, Central Jail and into the blood-curdling allegations against the officials in Midnapore. It is the policy which enables a Governor to ignore his Ministers and to commission a Secretary to send out chosen agents into the luckless Mofussil with plenty of unauthorised public money in their pockets to purchase, sell and hoard rice at their pleasure in order to be able to make fabulous profits while the children of the soil may be starving for want of food. It is the policy which enables a Governor to make appointments to high offices even in the Ministerial field of administration before, and not after, consultation with Ministers. It is the policy which enables favoured Ministers to order organised depredations into the hovels of the poor on the pretext of discovering hoarded foodstuffs, knowing full well that the countryside is already denuded of surplus rice. It is the policy which enables a reactionary Government to gag the Press and prevent

publication of news and to stifle criticisms of their actions. It is the policy which secures immunity to Ministers when they defy public opinion and give monopolies in trade to associates political and otherwise, for the purpose of amassing wealth beyond the dreams of avarice to be utilised for public and private purposes. •

So far as I am concerned, my duty is therefore clear. I must tell the House the whole story in all its details so that future generation may know how India had been governed under the much vaunted system of Provincial Autonomy. I must however confess that my statement in this House to-day has been a subject of deep and anxious consideration. On the one hand, I owe a duty to this House and to my countrymen, to place before them fully and frankly my version of the entire incident. This duty becomes all the more imperative when I find that the Governor has been putting forward his own version of the events which I cannot accept as a correct statement of facts. On the other hand, I realise that I cannot make statements without criticism of the Governor's action which must in the nature of things be occasionally adverse, and sometimes even bitter and unpleasant. Not that Sir John Herbert or his fellow actors in the Constitutional Drama whose gruesome details I am going to unfold to-day, deserve any consideration at my hands. Had India been a free country and this Assembly a real Parliament with Sovereign Powers, Sir John Herbert would long ago have been recalled to milder climes,

to spend his talents on less pretentious avocations than the Governorship of the Premier Province of India. It is hardly necessary to add that what I have to say about Sir John Herbert to-day refers only to his actions in his official capacity as the Executive Head of the Province and has no bearing whatever on any other aspect of his character or conduct.

As I proceed to narrate the circumstances under which Sir John Herbert managed to secure my signature on that fraudulent document called my letter of resignation, my memory travels back to the happy days I had spent with four successive Governors before I met Sir John Herbert. The first of this brilliant galaxy of Administrators was Sir John Anderson, a distinguished member of the Home Civil Service. Sir Robert Reid and Sir John Woodhead, who came next, were exceptionally able and successful members of the Indian Civil Service and all of them came to hold the high position of Governor of Bengal after distinguished official careers in England and in India. I have nothing but happy memories of the manner in which the Governors and the subordinate officials used to assist me in my arduous task of administration as the first Premier of the Province. The fourth Governor with whom I worked was the late lamented Lord Brabourne. It would be invidious to make a distinction between one Governor and another, but I cannot help saying that Lord Brabourne was a Governor of an exceptionally superior type. A born gentleman an accomplished statesman, a cultured

Englishman with the most charming manner, Lord Brabourne combined sympathy with firmness and will always be remembered as one of the most successful administrators who have ever come out to India. While working with these four Governors I never felt that there were things in the Government of India Act known as Governor's discretion, or individual judgment or special responsibilities. We all felt that the Council of Ministers and the Governor formed a team whose sole object was just, upright, efficient and enlightened administration.

I now come to Sir John Herbert. I must tell the House that for some time after we began to work together, he was to me a considerate friend. He told me that I was the first person to whom he had talked in Bengal. He assured me that he would act as a constitutional Governor and I would be able to carry on the administration as Chief Minister without any interference from him. He even mildly hinted, comparing small things with great, that he would be to what the King was to Mr. Chamberlain. For sometime Sir John Herbert kept his word and continued the policy of co-operation with the Ministers which had been adopted by his predecessors. Gradually, however he began to exhibit a tendency to interfere in the details of the administration and to press his points of view with a tenacity which we felt was inconsistent with the free exercise by ministers of their own responsibilities. We however thought that these shortcomings were temperamental and would disappear in course of time.

Towards the end of 1941, important political developements took place leading to the dissolution of the cabinet which had been functioning in Bengal since the beginning of Provincial Autonomy. In the middle of 1941, I had my differences with Mr. Jinnah over my membership of the National Defence Council, and although I resigned that membership after some controversy, the letter containing my resignation was couched in a language to which Mr. Jinnah took serious objection. It is now evident that some of my the then colleagues in the Cabinet were already planning to oust me from office in order to secure the power for themselves and were only waiting for an opportunity. My dissension with Mr. Jinnah seemed to give them that opportunity. On the 1st of December, 1941, without any previous indication whatsoever, six of my colleagues tendered something like mass resignation. Two other resignations followed and I accepted the suggestion of the Governor to tender my resignation as well, in order to enable the Governor to constitute Cabinet. My conspiring colleagues moved heaven and earth to get Hindu colleagues but they utterly failed in their attempt. On the contrary, all the various groups in the House rallied round me, and no less than 137 M.L.As. sent on their own account a memorandum to the Governor declaring that they were willing to work the constitution under my leadership. About forty members, calling themselves the Muslim League Parliamentary Party in the Assembly sullenly held aloof. I did my utmost

to induce them to join me in forming an all-parties cabinet, but they stubbornly refused to do so.

One would have thought that the obvious course left for the Governor was to call me to form the cabinet. But he adopted a course which was at once unusual and unconstitutional. He waited long to see if Sir Nazimuddin could secure a majority and it was only when he finally despaired of having Sir Nazimuddin as Chief Minister, and perhaps because of pressure from other quarters that Sir John after 10 days' hesitation asked me on the 11th December, 1941, to form a cabinet. I shall not refer here to the manner in which my Party was crippled by the sudden arrest of Mr. Sarat Chandra Bose before I took oath of my office as Chief Minister. By the 12th December I was able to submit the names of 8 of my colleagues and I wanted time to submit some more names. The 9 ministers were sworn in on the 17th December and Sir Nazimuddin went into opposition on the pretence of upholding the interests of the Muslim League in Bengal.

The above is a plain brief narrative of the events which led to the formation of the Progressive Coalition cabinet in December, 1941, but there are certain points of great significance which do not appear on the surface and require clarification. It has to be remembered that the Progressive Coalition Party which was formed in 1941, and which was the Ministerialist party in the Assembly, consisted of all the parties in the House except a few dozen Moslems who called themselves the Moslem League party, and the European party

who ordinarily are not represented in the cabinet. I did my best to induce Sir Nazimuddin and some of his colleagues to join my cabinet but they refused to do so. Nevertheless, the Ministry that we formed in December, 1941, was as near an approach to a national cabinet as could be in the circumstances then prevailing in the Legislature. It was for the first time that Moslems belonging to various points of view, Hindus belonging to the Congress and of other schools of thought, together with various small groups and Scheduled caste groups all combined to co-operate in the administration on purely national and patriotic lines. I suspect that such a cabinet did not appeal to Sir John Herbert and he therefore hesitated to agree to formation of such a cabinet and continued to evade its formation till at last he was compelled to give in. It is well known that the union of Hindus and Moslems and of other communities in a common endeavour for the political advancement of the country does not commend itself to Britishers with imperialistic views. Secondly the group represented by Sir Nazimuddin was at that time a great political asset in the hands of British Imperialists. It was through this school of politicians that British statesmen hoped to fight the Congress and indeed all nationalist activities.

Significant events soon showed that the cabinet we formed in December, 1941, did not find favour with Sir John Herbert. Sometime in January, 1942, I requested the Governor to let me have an expansion of the cabinet, particularly by the addition of 2 Ministers

of the Scheduled castes. I also insisted on the appointment of Parliamentary Secretaries. The Governor told me plainly that no expansion of the cabinet would be made or Parliamentary Secretaries appointed till the Budget had been discussed and passed. The budget was passed in due course but he still refused to expand the cabinet. Each time that I wanted Sir John Herbert to take up the question, he put me off with some excuse or other, but showed himself extremely anxious to get Sir Nazimuddin and some of his colleagues into the Cabinet. Sometimes he used to tell me that there should be no expansion of the cabinet till the Moslem League had openly declared its attitude. I am referring to these facts in order to compare Sir John's attitude towards me when the cabinet was constituted in December, 1941, with the attitude of Sir John towards Sir Nazimuddin and the present Ministry, constituted on the ruins of the Ministry of 1941. Suffice it to say, that not only did Sir John Herbert exert his personal influence to render the formation of the present cabinet possible but that he agreed to everything that Sir Nazimuddin proposed even to the extent of allowing absurdities in his efforts to help the Ministry. In my case, I had to be content with a cabinet of nine Ministers and one Parliamentary Secretary but Sir Nazimuddin was at once given a cabinet of 13 Ministers, 13 Parliamentary Secretaries and 4 additional Government Whips at an additional annual cost of nearly 2 lakhs of rupees to the public revenues.

I will now come back to the consideration of events after the formation of our cabinet of 1941. As I have said, Sir Johan Herbert was not only unsympathetic but in many cases positively obstructive. We felt his interference and obstruction in matters of day to day administration so very keenly, that we apprehended that we were heading towards a crisis. I accordingly addressed a letter to the Governor on 2nd August, 1942, explaining to him that the situation was becoming critical and asking him to proceed on constitutional lines. I wrote :—

“At a time when the implications of the Congress Resolution have filled all our hearts with the deepest anxiety for the future of India, I feel unfortunately compelled to write this letter to Your Excellency. I wish I could avoid this correspondence. But circumstances have left me no other alternative, and it pains me much to have to say very bluntly that you have contributed not a little to the creation of the situation which has forced me to take this unpleasant step. You are the Governor of the Province and I am your Chief Minister and your principal adviser. Our mutual relations impose on both of us reciprocal duties and obligations, and I can never shirk the responsibility of intervening by means of friendly, but frank, advice whenever I find you are treading the wrong path. If I allow things to drift, I will be failing in my duty to you and to the people of this Province. I am convinced that the time has come when I must speak to you quite openly what I feel in order to avoid a con-

stitutional crisis in Bengal. More than once have I sounded a note of caution and have told you that you have been following a policy which cannot but have the inevitable effect of practically suspending the constitution in Bengal, reducing it to a position similar to that of the Provinces governed under section 93 of the Government of India Act. I have tried to convince you that, by listening to the advice of a few officials, you are acting as if your Ministers did not exist and that you were free to deal direct with Secretaries and other permanent officials. As the head of the Cabinet I cannot possibly allow this attitude on your part to go unchallenged. The present letter is no more than another and the last attempt to put matters right, and I sincerely hope that this letter will have the desired effect. I am writing with the stern resolve to assert myself as the Chief Minister, and I can assure you that if it leads to a constitutional struggle between you as the Governor and me as the Chief Minister, I will not shirk from doing my duty regardless of consequences.

Broadly speaking, there are two classes of cases wherein, I regret to have to say, you have failed to act as a Constitutional Governor. In the first category I will put that class of cases wherein I have detected your personal interference in almost every matter of administrative detail, including even those where your interference is definitely excluded by the Government of India Act. A little reflection will convince you how unwelcome must be such an interference, and how bitterly Ministers must resent impediments in the

way of the exercise of the very limited power which they possess under Act. As it is, the Act is bad enough and is no better than a clever subterfuge by which the permanent officials have got all the powers but no responsibility, whereas the ministers have all the responsibility and no powers. But the camouflage with which the Act abounds is so transparent that it is not difficult to detect that, beneath the pretentious device of Ministers functioning in a system of Provincial Autonomy, the real power is still vested in the permanent officials; the Ministers have been given a mockery of authority, and the steel frame of the Imperial Services still remains intact, dominating the entire administration, and casting sombre shadows over the activities of Ministers. Any interference with even this limited power of Ministers is therefore the worst of its kind and I regret that your record in this respect has in no way been a negligible one. In the second category I would put those classes of cases in which you have, directly or indirectly, encouraged sections of permanent officials to flout the authority of Ministers, leading them to ignore Ministers altogether, and to deal directly with you as if the Ministers did not exist. Arising out of all this, there is also one important factor, not directly connected with the cases I have mentioned above, but which has also contributed towards the creation of the situation which I sincerely deplore. I refer to your attitude in Cabinet meetings, where you monopolise all the discussions and practically force decisions on your Ministers, decisions which

are in many cases the outcome of advice rendered to you by permanent officials belonging to Services whose traditions are fundamentally opposed to a genuine spirit of sympathy with the feelings and aspirations of the people.

"Know these are very harsh words to use to a Governor, but I want to be perfectly frank with you. I have decided to carry frankness to the extreme limit, because it is my earnest desire to render you the utmost possible help in the difficult days that lie ahead of us. Whether you will accept my advice or not, is a matter with which I have no concern. The choice must lie with you. It is a question of confidence and trust. British officials in India are now faced with a situation unparalleled in the history of any civilised country in modern times. Gigantic events are shaking Empires to their very foundations. Here in India, we are faced with a crisis which may lead to the most momentous events affecting the destinies not merely of the people of this country, but of millions of human beings all over the world. If ever statesmanship was indispensable in guiding the policy of rulers, the present situation in India has need of that statesmanship in the fullest measure. I am, therefore, asking you to play the role of a true statesman and to realise that India to-day has attained a position in world politics wherein the wishes of its people in matters of administration cannot be ignored with anything like impunity. Administrative measures must be suited to the genius and traditions of the people and not fashioned accord-

ing to the whims and caprices of hardened bureaucrats to many of whom autocratic ideas are bound up with the very breath of their lives. It is to your own Ministers and not to this class of officers that you should turn for advice if you desire to avoid pitfalls which have always been responsible for administrative disasters.

"Let me now come to facts. As regards your personal interference in total disregard of Ministerial responsibilities, I will briefly refer to only a few. There is first of all the case of your mandate to the Joint Secretary, Commerce and Labour Department, in April last in the matter of the rice removal policy. Here you acted as is the Government of India Act in Bengal had been suspended, and you were at the head of an administration under section 93 of the Act. In a matter of such vital importance, affecting the question of the food-stuffs of the people, you should have called an emergent meeting of the Cabinet and discussed with your Ministers the best means of carrying out the wishes of the military authorities and of the Central Government. But you did nothing of the kind. You did not even send for the Minister in charge of the Department, although he was readily available, but you sent for the Joint Secretary instead. You gave him orders to take up the work of removal at once, without caring to find out the exact position regarding the excess of rice and paddy in different areas and the best means of removal and the cheapest method of carrying out the scheme. The Joint Secretary says that when

he was arranging to carry out your orders, you grew impatient and gave him definite directions to arrange for the removal of excess rice from 3 districts within 24 hours. Even then you did not consult your Ministers, because presumably you thought you could not trust them. The result has been a dismal failure so far as this particular policy is concerned. The Joint Secretary, in his haste and hurry to oblige you, advanced twenty lakhs of rupees to a nominee of a friend to begin the work, without any terms having been settled, or without any arrangements having been made for the safety of public money, solely for the purpose of showing that he had started carrying out your orders. When we came to know of all this at a late stage, we did what we could to retrieve the unfortunate position into which Government had been placed, but even then we could not avert the disaster. At the present moment we are faced with a rice famine in Bengal mainly in consequence of an uncalled for interference on your part, and of hasty action on the part of the Joint Secretary. As regards the huge sums of money advanced indiscreetly under your orders by the Joint Secretary in the first instance, our legal advisers are extremely dubious if we can ever expect to recover the whole amount. The loss to Government is bound to be a considerable one, and the responsibility for this needless waste of public money must be shared by you and your Joint Secretary.

“Then I come to the boat removal policy. In this you have all along been acting under the advice and

guidance of some permanent officials without taking your Ministers into confidence. You have even ignored one who happens to be not merely your Chief Minister but also the Minister in charge of the Home Department. You seem to have been consulting the Military authorities in secret and discussing plans with permanent officials ; and when everything is almost settled and matters have gone beyond control, you sometimes talk to us with a view to impart information as to what had been done or was being done. The most outstanding instance of blunder which has been committed by the permanent officials, apparently with your knowledge and concurrence, has been the case of the prevention of the boats from going out into the Bay of Bengal for the purpose of cultivation of the lands in the various islands lying at the mouth of the Delta. Some tardy recognition of the urgency of the situation was made when a limited number of boats was allowed to go out into the Bay, but it was then too late to mend matters. I will not go into details, nor is it necessary to do so. It is enough for me to emphasize that the whole scheme was planned in consultation with the Military authorities and some permanent officials, without the knowledge not merely of the Cabinet but even of the Home Minister.

"I now come to the question of the formation of Home Guards. It is true that you have recently given a belated consent to our proposals regarding these organisations, but the mischief of officialisation of Home Guards had already been complete. Constitutionally,

you should have accepted our advice, but you did not, with the result that the permanent officials have practically officialised the whole concern. I do not know how far you will now be able to retrieve the mischief that has been done.

"I will now say a few words about the manner in which you have all along resisted my efforts for the expansion of the Cabinet and the appointment of Parliamentary Secretaries. Whatever may be your powers under the Act, it is evident that as the Chief Minister I should have the final say in the matter of composition of the Cabinet and in parliamentary appointments, and that except for the gravest of reasons, you should not reject my advice in such matters. In England, it would be unthinkable that the Prime Minister's wishes about the Cabinet should be ignored. But your attitude has been one of definite disregard of my wishes in these respects. You seem to have taken up this attitude, perhaps in the forlorn hope of getting Sir Nazimuddin and his group into the Cabinet. Eight months have now passed and your efforts to placate them have borne no fruit, but your reluctance to accept my advice has not been slow to produce the most bitter results inasmuch as it has hampered the administration of the various departments of Government and also thrown a burden on our shoulders which it is physically impossible for us to bear.

"During the last few days I have discovered that orders have been passed by Secretaries either on their own responsibility or with your approval, explicit, or

implicit, by totally ignoring the Ministers. For instance, orders have been passed that the Government of India should be requested to send back to Bengal all officers lent to India by the Bengal Government ; orders have been passed that the powers exercisable by the Provincial Government under section 76 (B) of the Defence of India Act and Rules be delegated to local officers. I was not consulted in these cases although they affect vital matters of policy. Every day some fact or other comes to light which reveals how orders had been passed in important matters without the cognisance of the Minister concerned. I strongly deprecate and resent this procedure. After all, I and my Cabinet are responsible for whatever action is taken by Government and announced in your name. It is wholly unconstitutional and even unfair to saddle us with responsibility for matters of which we have had no knowledge and with which we have had no concern. Posts are created for officers without our knowledge, and forced upon us for acceptance, under circumstances which leave us no alternative but to agree. I could multiply instances, but I purposely refrain from doing so as I feel that what I have said already is enough to justify my grievance.

"I now come to the class of cases in which permanent officials have acted in defiance of Ministers by completely ignoring their authority. Let me begin with the case of the outrages alleged to have been committed on women at Sanoa in the district of Noakhali. There was a Deputy Collector at Feni who

happened to be the Additional Sub-divisional Officer at the time, who had sent a telegram to the District Magistrate apprising him of what had occurred and asking for instructions how to proceed. This action on the part of the Deputy Collector was resented by some of the officials, presumably because they thought that the telegram might be a very important piece of evidence against the guilty persons. This officer who had only tried to do this duty, was transferred from Feni by a telegram, at the bidding of the local officials, by the Chief Secretary. And the Chief Secretary passed orders without consulting me who happened to be the Chief Minister and the Home Minister ! I come to know of this transfer several days after it had taken place when I went to Feni to find out what the facts of the alleged outrage actually were. I have since seen the papers relating to this transfer. The telegram of course is not on the File, but there is a remark by a high official that the Deputy Collector had acted indiscretely. We know what this means. The Deputy Collector was naturally frightened and sought safety by applying for leave. This leave was refused, and the officer was summarily transferred to Serajganj, because high officials wanted to bundle him out of the Chittagong Division altogether.

"May I in this connection remind you that when you came to know of my programme to visit Feni, you advised me not to go because you thought that my visit would embarrass the local officials ? I explained to you that I had no intention of embarrassing any-

body, but I considered it my duty to pay a visit to an area where the people seemed to be so much distressed. When I went there I found that practically all the officials of the Dhittagong Division had gathered at Feni with a view to prevent my visit to the place of occurrence. The Commissioner of the Division plainly told me that he had received a telephonic message from your Secretary asking him to persuade me to abandon my visit. I did not go to the village because I did not want to quarrel with the officials but met relations of most of the women said to have been outraged and the relations of their deceased husbands. I had also certain documents brought up to me which left no doubt in my mind as to what had happened. The reasons for the telegraphic transfer of the Deputy Collector, and for the anxiety shown by you and the local officials to prevent my visit to the locality are abundantly clear. Even the Chief Minister had to be kept out of the way, because he could not perhaps be trusted to fall into line with the official plans. Further comment is superfluous.

"I now come to the events leading to the closing of the Lady Brabourne College in Calcutta. You referred to this fact in the last Cabinet meeting and tried to defend the Secretaries, the Director of Public Instruction and the other permanent officials. I said nothing to contradict your *assertions in apologia* because I felt so aggrieved that I thought silence was the better course to adopt to prevent an outburst. The facts constitute a revolting instance of insubordination, and the main incidents are well-known. In spite

of assurances given to me by the Revenue Secretary and other officials that no decision would be taken regarding the Lady Brabourne College without reference to me, it appears that the various Secretaries and the Director of Public Instruction between themselves managed to hand over the buildings and appliances to the military authorities without reference even to the Minister in charge. The official note submitted by the Director of Public Instruction was to the effect that he had confirmed the arrangements. It is reminiscent of the language of the officials half a century ago when every bureaucrat in the Writers' Buildings used to consider himself as big as the Lieutenant-Governor of Bengal. These officials who have bungled over the Lady Brabourne College incident should be told very plainly that things are now entirely different from what they have been in the past, and that they must know how to adapt themselves to the altered circumstances.

"I will now say a few words about the appointments to A.R.P. services. Muslims have not got even 5 per cent. of these appointments made by the Controller and his subordinates in Calcutta, and not even 2 per cent. of the appointments made by the permanent officials in the mofussil. To add insult to injury, some of these officials have stated that competent Muslims were not forthcoming. Some officials have taken the strange plea that Muslims are not willing to accept appointments on low salaries and some have hazarded the very ingenuous and novel excuse that

Muslims are well placed in life and therefore not available for A.R.P. appointments. I may tell you that these statements are not correct, and it is surprising that high officials holding responsible positions should have added to rank injustice the frivolity of baseless excuses. I am annexing some tables of figures which will show how Muslim interests have been sacrificed by these officials. The situation has passed beyond the stage of argument and explanation. The Muslim community will accept no denial and I insist that the erring officials be compelled to make ample amends without delay. I propose to take up this case with the officials concerned and see that justice is done to all communities and interests.

"I want you to consent to the formation of a Bengali Army consisting of a hundred thousand young Bengalis consisting of Hindu and Muslim youths on a fifty-fifty basis. There is an insistent demand for such a step being taken at once, and the people of Bengal will not be satisfied with any excuses. It is a national demand which must be immediately conceded.

"You should act as the constitutional Governor and not as the mouthpiece of permanent officials, or of any political party. In other words, you should allow Provincial Autonomy to function honestly rather than as a cloak for the exercise of autocratic powers as if the Province was being governed under section 93 of the Act."

I received no reply to this letter of the 2nd August, 1942. and I was surprised that even in the

course of private interviews, Sir John Herbert never referred to the matters I had discussed in the letter regarding my strong criticisms of his actions. It is significant that he never attempted to reply to any of the very serious allegations I had made in the letter, although possibly he was all the time harbouring resentment. A few days later came the Bombay resolution of the All-India Congress Committee and the disturbances which broke out all over India on the 9th of August. It is painful to refer to the unfortunate happenings in India which followed the Congress resolution, and Bengal naturally had more than its share of the policy of repression which was carried on throughout India in the name of suppression of what was called the Congress rebellion in the country. The Defence of India Rules were freely used to arrest and imprison prominent leaders of the people and also to impose what was called collective fines in areas where the disturbances happened to be of an abnormal character. In the case of many of these arrests and orders of imprisonment, I differed from the police point of view and also from the Governor's point of view. In a very few cases, my recommendations for release were accepted, but I was over-ruled in every other case. In some cases, the evidence appeared to me to be so slender that I expressed my surprise that the police should be insisting on orders being passed on practically no evidence. A few of these arrested persons have been released within the last week and I wish the materials on which they had

been originally arrested and the reasons for which my orders of release were over-ruled by the Governor could be made public. Possibly, the Governor has agreed to the release of prominent politicals in order to cover the present Ministry with short-lived glory, but the public can easily see through the game. In many cases orders passed by me as long ago as August or September last have been allowed to remain unexecuted till some momentous considerations of State have induced the Governor to consent to their release at this moment just on the eve of the session of the Legislature.

In the case of collective fines, we had tremendous difficulties. In most of the cases the amounts imposed were hardly commensurate with the crimes that had been committed and in almost all of these cases the innocent suffered more than the guilty. As usual, my dissentient voice never prevailed and the police point of view and the recommendations of the permanent officials found favour with the Governor.

All this time, I had been urging upon the Governor to let me have an expansion of the cabinet both because the number of Ministers was not adequate, to cope with the enormous amount of work, and also because there were groups in the Progressive coalition party especially belonging to the scheduled caste which were not adequately represented in the cabinet. But in all these efforts, I failed completely. The Governor did not agree to any expansion and avoided acceding to my request on some pretext or other.

In spite of all my efforts to avert a crisis, time brought no change in attitude of the Governor. Our relations day by day became strained, and matters came almost to a crisis during the August and September Session of the Assembly. The European Party had tabled a resolution supporting all the measures taken by the Government to suppress what was called the Congress rebellion, and the so called Muslim League party had tabled a resolution expressing the opinion that the measures taken had been inadequate. Both these resolutions were somewhat embarrassing to me because neither of them contained the whole truth. The Muslim League motion was meant as a vote of censure and the European party resolution was meant to extract a statement from the Congress groups that the repressive measures taken had been justified. The Assembly, however, broke up under somewhat boisterous scenes of indiscipline manifested by a few members of the Muslim League, but as subsequent events went to show, the matter did not terminate there.

In the meantime, the situation in the province deteriorated and the disastrous consequences of the mistaken rice policy began to manifest themselves. There was shortage of rice even in the most fertile portions of Bengal and in spite of loud protests by the people, reckless speculation in rice by Government agents began to deprive the people in the rural areas of even their ordinary requirements of food.

I went to Delhi to attend a conference regarding

the condition of rice and other foodstuffs and I got an assurance from the Government of India that all exports of rice from Bengal would be prohibited. Unfortunately, however, export was never stopped and authentic reports have disclosed the deplorable fact that even when there was a rice famine in Bengal, exports of rice continued to go on in large quantities. It was at this time that the Governor decided to appoint a rice controlling officer in place of Hon. Somersett Butler to control all sales and purchase of rice and selected Mr. McInnes for this purpose. I had represented to the Governor that an Indian with sufficient experience of business in rice should be appointed, but he was of a different opinion. I was surprised one day to hear that the selection had already been made and Mr. McInnes had been asked to join the post. I made no secret of the fact that I did not approve either of the appointment of Mr. McInnes or the manner in which that appointment had been made. Matters were becoming unpleasant and Mr. Pinnell came to see me one day with the file relating to that appointment. After an elaborate discussion I thought that it would be useless to upset an appointment already made, and I therefore agreed to give Mr. McInnes a chance. I was, however, surprised to find subsequently some remarks made by the Governor in which the facts about the appointment of Mr. McInnes had been very much distorted and there was also a remark by the Governor that Mr. McInnes and Mr. Pinnell should be allowed to go on unchecked

with their own policy, and any interference on the part of the Ministers with their work should be reported to the Governor. I took serious objection to these remarks and I felt compelled to write a frank letter to the Governor, explaining to him my point of view and telling him how bitterly I resented the whole affair. The following is a true copy of the letter.

88/2. Jhowtola Road,
Calcutta,
The 9th January 1943.

Dear Sir John,

I was surprised to receive from Mr. Pinnell a copy of certain notes purporting to embody the substance of our discussions during my interview with you on the 2nd January. I find on enquiry that my colleagues have also got extracts of the said note which attribute to me facts which I dispute. Out of sheer courtesy at least, my consent should have been taken before the document was circulated. I wonder if the document was drafted and circulated for the purpose of binding me down to decisions and which I did not approve. What is most regrettable is that the document ends with a veiled threat. It raises a constitutional issue of vital importance which requires full clarification.

In the first place, permit me to point out that I never agreed to the appointment of Mr. McInnes, because I know nothing about the man, know nothing about the duties which he was going to perform, and lastly because the post to which he has been appointed

was not sanctioned by me as Finance Minister. You remember that when I saw you on Saturday, the 2nd of January, 1943, you met me in a very ugly mood. You laid too much stress on the point that I was absent from Calcutta for 4 days from the 27th December, the 30th December, both days inclusive. Calcutta had assumed normality then and some of our colleagues were present in town throughout the Christmas Vacation. After all even busy Governors absent themselves from town on private business.

You then brought in the question of the appointment of Mr. McInnes. I told you that I knew nothing about the affair and I could not signify my approval. In the end I left you by saying that in case H. M. Commerce and Labour had agreed to the appointment, I was not going to raise any difficulty. I made my position clear that although I did not say anything against the decision that had been taken, I should not be pressed to approve of what had been done. I now find that you have definitely put in the note that I agreed to the appointment of Mr. McInnes. I give my emphatic denial to this statement and say definitely now that the issue has been raised, that I feel compelled to record my protest against the appointment.

I am surprised at the further statement in the note that I agreed that discussions in Cabiner were unnecessary. I definitely remember that such a point never arose in the course of our discussion that morning. It is evident that the post to which Mr.

McInnes has been appointed is a new post, and concurrence of the Cabinet should, therefore, have been taken. Discussions in Cabinet were not only necessary but absolutely essential. The last sentence in the note is most highly objectionable. I find that it has not been incorporated in the note circulated to my colleagues. You say that the Departments are to report to you any interference or attempt to influence the activities of the Department. I should like to have a clear statement from you as to what you mean by interference or attempt to influence. As the Chief Minister of the province, I have every right to *intervene* if I find that anything is going wrong in the administration, and I repudiate the idea that I would attempt to influence illegally the activities of any one, be he a Minister or an official of Government; you say that the Department concerned should report to you, so that you may take appropriate measures. In other words, the Ministers must be completely eliminated and Government carried on by you through the various Departments as if the constitution did not exist. I must point out to you that it is an unconstitutional interference on your part with the rights and privileges of Ministers.

Lastly, I record my disapproval of the whole policy you and some of your officers have been pursuing since April, 1941, regarding the matter of food-stuffs and supplies. I reserve to myself the right to make a public statement, if necessary, that actions had been taken in many cases without reference to me and in some cases even against my wishes.

Yours sincerely,

Sd. A. K. Fazlul Huq,

While things were still in this unpleasant state, the Governor began to insist that Cabinet Ministers should make what he called, an unequivocal statement regarding their attitude towards the measures taken to suppress the Congress movement. He expected that at the earliest opportunity we should make such a statement to the House. My colleagues belonging to the Congress party and our supporters belonging to the Congress groups had no hesitation in making a full and frank expression of their attitude towards the movement and also the measures that had been taken by the Government to suppress the movement. Accordingly, my Hindu colleagues and I met the European party at a small meeting and there explained our whole position. The European party were fully satisfied and for the moment there was something like peace. Various events, however, brought to the surface the latent feelings of dissatisfaction which the Governor, the permanent officials, and the European party bore towards me and some of my colleagues. Matters came to a head when Dr. Syama Prasad Mookerjee made his statement to the House on the 12th February regarding the circumstances leading to his resignation. The statement made by Dr. Mookerjee added fuel to the fire. We were asked to dissociate ourselves from the statement made by Dr. Mookerjee, and practically to make a statement in the House that the Governor had been acting in a most constitutional manner and that the measure taken by Government had not only been amply justified but

had been carried out under circumstances of exceptional clemency under great provocation. Personally, I was not prepared categorically to deny all that Dr. Mookerjee had said ; there was much in that statement with which I certainly agreed, and I could not reconcile my conscience with the suggestion that had been made to me ~~to~~ condemn statements with which I was more or less in agreement. There cannot be the slightest doubt that the European party became violently inflamed against me and I now suspect that from February onwards there was a sort of an agreement between my political adversaries on the one hand, and high officials and the European party on the other, to oust me from office. I felt the situation very keenly. I found myself working in an uncongenial atmosphere and always hampered by those from whom I expected support and co-operation. I thought that the best solution of the situation would be to have an all-parties Cabinet, which would be in a position to work unaffected by any opposition, and would be strong enough to resist any attempts on the part of any party or group to hamper the activities of the Government.

“ It was at this stage that I made my statement in the House regarding Government policy on Midnapore affairs. The matter came up before the House in the course of a discussion on an adjournment motion, and all sections of the House except the European party strongly urged the appointment of a committee of enquiry. The allegations made were of so serious a character and yet so specific, that it was felt that it

would be in the interest of the officials themselves to put the accusers to proof of their accusations. I agreed. This amounted to a promise to hold an enquiry into the allegations, and when the Governor heard what I had said he wrote to me the following letter.

Government House,
Calcutta,
The 15th February, 1943.

My Dear Chief Minister,

I have received information which I have difficulty in crediting in view of your report on Midnapore at your last interview, that you have given to-day in the Legislature an undertaking for an enquiry into the conduct of officials in that district. You are well aware that this subject attracts my special responsibilities and you are also well aware of my views on the undesirability of enquiries in this matter. If my information is correct I shall expect an explanation from you at your interview to-morrow morning of your conduct in failing to consult me before announcing what purports to be the decision of the Government.

Yours sincerely,
Sd. J. A. Herbert.

The Hon'ble Mr. A. K. Fazlul Huq.

I could not take the situation lying down and wrote to the Governor the follow reply :

114-A, New Park Street, Calcutta,
The 16th February, 1943.

Dear Sir John,

In reply to your letter of the 15th February 1943, I write to say that I owe you no explanation whatever in respect of my conduct in failing to consult you before announcing what according to you is the decision of the Government ; but I certainly owe you a duty to administer a mild warning that indecorous language such as has been used in your letter under reply should, in future be avoided in any correspondence between the Governor and his Chief Minister.

During my last interview I certainly did not convey any impression that the affairs of Midnapore did not call for an enquiry. That interview only lasted for 15 to 20 minutes, and reference to Midnapore in the course of the discussion did not take up more than 5 minutes. It was for the first time during the last 5 months that I had been to Midnapore and even that for only 6 hours I could only visit 2 or 3 villages, which are alleged to have been scenes of some outrages on women. All that I told you was that there had been no regular enquiry and it was difficult to say whether there were no exaggerations or whether these allegations were true. It was obviously impossible for me to give you anything like a report about Midnapore. As a matter of fact, I had been asking the Home Department officials to let me have the Government version about Midnapore. But they utterly failed to do so or at any rate, could not supply me with any report, except a scrappy note which was handed over to me by Mr. Porter in the Assembly House during the course of the

debate yesterday. Even these notes do not, in the least, pretend to touch even the fringe of the various serious allegations that were made yesterday on the floor of the House. It is, therefore incorrect to say that I had given you any report about Midnapore. I do not know what you mean by this remark but let me tell you that I know nothing about what has happened in Midnapore, nor was it possible for me to give you any information, nor did I actually give any report about the happenings in the district.

Permit me to tell you that the adjournment motion was tabled on Friday and the whole of the Home Department knew, and I am absolutely certain that you yourself knew, that serious allegations were going to be made about the happenings at Midnapore. In the course of the speech made by Dr. Syamaprasad Mookerjee on the opening day of the Session, he did not mince matters about Midnapore and he gave sufficient indications of the kind of speeches that would be made on the floor of the House in the course of the Debate. It is impossible for me to believe that you did not feel that there would be an insistent and almost irresistible demand for an enquiry from all sides of the House. If your feelings have been that no enquiry should be instituted, it was your clear duty to send for me and tell me that whatever the demand may be and from whatever side it may be, I was to have told the House that you were opposed to such an enquiry and therefore no enquiry can be promised by Government. Let me add also that since Saturday, we had been

closetted together with higher officials of the Home Department who knew we were in favour of an enquiry. How can I believe after this that you knew nothing about a very certain demand that would be made for an enquiry? You neglected your duty in sending for me and, now you accuse me that in the House I gave an unauthoritative decision of Government. When I was in the House, I found that not only were the most serious charges brought by responsible members of the House, but that the demand for an enquiry was not opposed by a single member. Even the European Group kept silent and the Opposition were loudest in condemning us for not having made enquiries long before. In the circumstances, I felt, in consultation with my colleagues, that it was impossible to resist the demand for the enquiry that had been made.

I enclose herewith a copy of the concluding portion of my speech which I delivered yesterday on the floor of the House. Contrary to my usual practice, I read out from a manuscript the last portion of my speech. A perusal of the speech will convince you that what I said was that the Council of Ministers, as distinguished from Government, were agreed that it would be expedient to hold a committee of enquiry if only with a view to exculpating the public servants from the very grave charges such as had been levelled against them. You will thus see that the question whether or nor the Council of Ministers should tender to you a particular advice does not come within the purview of your

special responsibilities, even if it be conceded that the acceptance of such advice would involve the exercise of your special responsibilities. In these circumstances, I do not think, that in so far as my statement in the Assembly is concerned any of your special responsibilities are attracted. If and when the Council of Ministers tenders to you advice contemplated in the penultimate sentence of my speech, it will then be for you to consider whether in accepting this advice your special responsibilities are attracted.

It appears from your letter that you are not prepared to give your consent to the constitution of a committee of enquiry. If so, the only course left open to me is to make a statement in the House in which I shall endeavour to explain that my statement made yesterday should not be taken as a commitment on the part of the Government to a committee of enquiry, and that I propose to read out to the House your letter under reply so as to explain my position. I shall not however do so without giving you previous notice. My colleagues and I are responsible to the Legislature as and the legislature has a right to expect a sufficient explanation to why a committee of enquiry cannot be constituted. The only explanation which I can offer is the letter I have received from you.

I was due for an interview with you this morning at 10. I have already verbally indicated to your Private Secretary that it will not be possible for me to go and see you, because I consider that unless sufficient amends are made for the language used in your letter under

reply, no useful purpose would be served by an interview which would admittedly have been carried out in a spirit of anger.

Yours sincerely,
Sd/- A. K. Fazlul Huq.

His Excellency Sir John Herbert G.C.I.E.,
Governor of Bengal.

All this happened on the eve of and during the Budget discussion, and the voting on Budget demands, and I had to plunge into the most strenuous, most critical and most difficult of all the Assembly sessions with a mind weighed down with worries and anxieties for the future. Many of my supporters were in jail, and although the European party were not openly in Opposition, the support they occasionally gave was lukewarm and half-hearted. Many of those whom I had hitherto looked upon as my supporters seemed to be in collusion with the Opposition, and our Government was subjected to constant fusillades from all sides. Through the mercy of Providence, however, we overcame all these attempts to overthrow us, till we reached the votings on the 29th March when there was only one day left over for votings on Budget demands.

"I suddenly received a summon from the Governor to see him at 7-30 p.m. on Sunday the 28th March. I was in high spirits when I went to Government House, because I found all my colleagues and our supporters confident of what appeared to be our invulnerable position. When I met the Governor at

about 7-30 p.m., I found him seated with his Secretary, and when we began the conversation we three were the only persons in that room. After a few minutes' talk, Governor asked for my resignation. I have told the story so often that I feel I would be boring the House with a repetition, but for the sake of continuity of narrative, I cannot but repeat the wonderful story. I vehemently but respectfully protested, but the Governor told me that he wanted my resignation, as I had made statements in the House to the effect that I would be prepared to tender resignation in order to facilitate the formation of an all-parties Cabinet. I said that I still adhered to that position but that was no reason why I should resign without being satisfied about the fulfilment of the conditions for an All-Parties Ministry. He, however, insisted on my tendering resignation then and there, and in order to clinch the matter, he brought out a typed piece of paper purporting to be my letter of resignation to the Governor. I explained to him that if I tendered my resignation at that stage, the Budget demands would remain unfinished and the Finance Bill also would be sabotaged. But the Governor was still insisting on my signature. I then asked for time to consult my colleagues and my party. But the Governor was obdurate and refused my request. He was determined to have my signature then and there. I still resisted. Upon this, the Governor slightly changed his front and assured me that no effect would be given to the letter of resignation immediately, but that he would keep it himself to be shown to

party-leaders in case there was a possibility of an all-parties Cabinet. Upon this assurance given by the Governor, that the letter of resignation would not be made effective unless actually required for the purpose of the formation of an all-parties Cabinet, I signed that letter and handed it over to the Governor. I again reminded him that it was not meant to be treated as a letter of resignation and that no effect should be given to it unless the circumstances arose for which I had consented to sign that previously drafted piece of paper. I now recall an incident which did not strike me then, but which I now consider extremely significant. As soon as I had handed over that document to the Governor, he turned to the Secretary and asked him to telephone something to the European party. A letter of resignation had been drafted, and kept ready-typed for signature Governor insisting for signature, although my resignation meant the sabotage of the entire Budget, the telephone message went to the European Party as soon as I had put my signature ; his acceptance of the letter of resignation came the same evening within two hours of my return home, contrary to his definite assurance. Who can deny that the conclusion is irresistible that there was design and conspiracy of a sordid character?

As soon as the House met, I was questioned as to what had happened and I made a brief reply. The House was adjourned and I immediately wrote the following letter to Sir John :

Calcutta,
The 29th March, 1943.

Dear Sir John,

I understand that Your Excellency wants me to see you. I am, at the present moment, so mentally upset that I do not find it possible for me to have any useful discussion with Your Excellency on any subject.

From early morning I was hearing all sorts of rumours that I saw Your Excellency last night and everybody seemed to know that I had tendered my resignation which had been accepted. As soon as I entered the House this morning, pointed questions were put to me as to whether it was a fact that I had tendered resignation and that the resignation had been accepted. You will judge for yourself that I could not tell a lie, and I had to tell the House that I had to sign a letter of resignation which had been already drafted and that I received your letter accepting my resignation in course of less than a couple of hours. You will, therefore, now see the reason why I had advised you not to press for my resignation. I pointedly told you about the Budget and the Finance Bill and as far as I remember, you said that I had to pilot the Finance Bill and therefore the resignation would not take effect immediately. I was, therefore, surprised when I found two lines as a postscript in your own handwriting that you would defer the announcement of the acceptance of my resignation till 8 p.m. to night, and that you are doing so at my request. I fully remember that I did not make any such request. I said that the resignation should not be accepted for the present, and I do not understand how the question of deferring the announcement

of acceptance till 8 p.m. to night could possibly arise.
[I do not see the particular significance of 8 p.m.

I must now tell you something about the constitutional position. As soon as I made the announcement in the House that my resignation had been accepted, pointed questions were put to me whether our responsibilities ~~were~~ joint or several, and I told that our responsibilities were joint and several. Thereupon the Speaker ruled that the Ministry is *functus officio* and therefore could not move the Budget demands, and on this the Speaker adjourned the House for a fortnight.

I have made a short statement, as I could not refuse answering questions that were put to me concerning such an event. I have, however, refrained from going into details.

A party meeting is going on and I am being pestered with questions from all sides as to why I signed the letter of resignation and I am being seriously taken to task for letting the party and my colleagues down. Vigorous speeches are being made that I had betrayed my colleagues. I remember that I requested you not to insist on my signing the letter of resignation before I had an opportunity of consulting my colleagues and the party, but you said that the letter should be signed then and there, which had already been drafted in anticipation. I only carried out Your Excellency's request; but I knew that trouble would arise and trouble has arisen.

As I was going to sign this letter, I was informed that you wanted to have a Cabinet meeting this after-

noon. I was also told that you hold the view that my resignation does not take effect till 8 p.m. to-night, and as regards the others, they continue in office since they have not officially tendered resignation. My colleagues and I differ from you in this view. So far as my resignation is concerned it has already been accepted and your postscript said that only the announcement would not be made till 8 p.m. this evening. It is obvious that the acceptance and the announcement are two different things. Once the resignation is accepted and communicated, it does not matter when it is announced. As regards the other Ministers, it may be a debatable point, but the Speaker has ruled that they are *functus officio* in consequence of my resignation.

Unless, therefore, your acceptance of my resignation is withdrawn and the letter I had to sign at Government House is treated as cancelled and returned to me, there cannot be a Cabinet meeting to-day.

Yours sincerely,
Sd.- A.K. Fazlul Huq.

HE Sir John Arthur Herbert, G.C.I.E

It is significant that I received no reply to this letter and that the allegations made in this letter have not yet been contradicted. The postscript in his letter accepting my resignation deserves more than a passing notice. It means that although the Governor knew that I had become *functus officio* by reason of his acceptance of my resignation, he wanted me to appear before the Assembly, as if I was still a Minister in

office, move for demands in his name and thereby knowingly perpetrate a fraud on the Assembly. And I was prompted to perpetrate this fraud by no ~~less~~ a person than the Governor of the Province! The fact that the Governor did not make any comments on the allegations contained in this letter, leave alone contradicting them, is of great significance. I repeated all my allegations against the Governor in a letter which I wrote to His Excellency the Viceroy on the 16th April, a copy of which I forwarded to the Governor. I have made my accusations and allegations public in numerous occasions, but up till now, the Governor has not thought fit to reply to my allegations contained in letters which I purposely wrote to him, nor have there been any contradictions in Press notes or communiques issued from Government House. My allegations and accusations cannot therefore be described as after-thoughts spun out of my imagination, and they remain absolutely unchallenged.

To come now to the activities of Sir John Herbert after he had once managed to secure my so-called letter of resignation. All ideas of having an All Parties' Ministry were cast to the winds and the Governor began to act as if the only end he had in view was somehow to smuggle Sir Nazimuddin into power. He forgot his solemn promises given to me that he would consult the leaders of all the parties and try to form a national Cabinet. He forgot also his solemn assurances given to me on the night of the 23th of March that he was anxious to retain me as his Chief minister, and that 'I had not

forefeited his confidence but that he was asking me to sign the so-called letter of resignation only to enable him to parley with party leaders. I possess abundant documentary evidence that Sir Herbert knew that I would consent to voluntary resignation only, and only if, such resignation appeared to be indispensably necessary for the purpose of the formation of an 'all-parties' Cabinet. Extracts from my correspondence with Sir John Herbert will make this abundantly clear. On the 21st March, I wrote as follows :—

144-A, Park Street. Calcutta,
21st March, 1943.

Dear Sir John,

I have always held the opinion, never so strongly as at the present moment, that in order to cope with the abnormal situation prevailing in the country, it is necessary to have a Government composed of all parties in the House. As I have explained to Your Excellency, if at any time I am found to be a hindrance to the formation of such a Government, I shall be glad to tender resignation of my office.

I hope these few lines will enable Your Excellency to explore all possible avenues for the formation of a Cabinet which is most suited to the present needs of the country.

Yours sincerely,
Sd. A. K. Fazlul Huq.

H. E. Sir John Arthur Herbert, G.C.I.E.

Again on the 26th March, I wrote :—

The 26th March, 1943.

Dear Sir John,

With reference to my conversation with Your Excellency this morning, I write to say that at a time like this it is extremely desirable that the Cabinet should be constituted so as to include the representatives of all the political parties in the Legislature. As I have several times told Your Excellency, I should always be ready to help you in bringing about such a consummation, and if at any time Your Excellency feels that I am an obstacle to the formation of such a Cabinet, I shall be prepared to tender resignation of my office in the interest of the country.

Yours sincerely,

Sd. A. K. Fazlul Huq.

H.E. Sir John Arthur Herbert, G.C.I.E.

To this I received the following reply :—

Government House, Calcutta,

The 26th March, 1943.

D O. No. 4106/S.

Dear Chief Minister.

H. E. asks me to thank you for your letter of to-day's date in which you state that you are willing to tender your resignation in order to facilitate the constitution of a Cabinet comprising all political parties. I am to enquire whether you would have any objection to the letter being shown to party leaders with a view to consulting them as to the formation of such a Cabinet.

Yours sincerely,

Sd. A. De C. Williams.

Even the so-called letter of resignation drafted and kept ready by the Governor himself emphasized this point of view. That letter runs in the following terms :

Dear Sir John,

Understanding that there is a probability of the formation of a Ministry representative of most of the parties in the event of my resignation, I hereby tender my resignation of my office as Minister in the sincere hope that this will prove to be in the best interests of the people of Bengal-

Yours sincerely,

Sd. A. K. Fazlul Huq.

Dated the 28th March, 1943.

To H. E. Sir John Arthur Herbert, G.C.I.E.

It is therefore evident that even up to the 28th March, 1943, when Sir John Herbert got my signature on that letter of resignation, it was agreed that it should be the endeavour of the Governor to form a representative and all-parties' Cabinet. But the cabinet that has been formed is not an All-Parties cabinet. It is not even representative of the majority of the various parties in the House. It is not only much less representative than the cabinet I had formed in 1941 but is in fact a cabinet composed of a single party in the House under the domination of a political caucus composed of the members of the family of the Khwajas of Dacca. Sir John Herbert so far forgot himself that he stooped to canvass support for Sir Nazimuddin's cabinet. He then proceeded to put Sir Nazimuddin in power with a cabinet consist-

ing of 13 Ministers, 13 Parliamentary Secretaries and 4 Government Whips, although in our time we were not allowed any expansion of our small cabinet of only eight Ministers or the appointment of more than one Parliamentary Secretary.

I am reminded at this stage of something very similar which happened in the year 1926. Lord Lytton was then the Governor and was anxious to have Sir Abdur Rahim as one of his Ministers, provided a suitable Caste Hindu could be induced to become a colleague of Sir Abdur Rahim. It so happened that in consequence of a speech which Sir Abdur Rahim had delivered at Aligarh in 1925, no caste Hindu would consent to join him as a colleague in his Ministry. Lord Lytton gave Sir Abdur Rahim only 4 days' time to find out a Hindu colleague and when Sir Abdur Rahim reported that he had not been successful in his attempts to induce any caste Hindu to join him as a Minister, Lord Lytton politely told Sir Abdur Rahim that he could not under those circumstances accept Sir Abdur Rahim as a Minister. Lord Lytton acted in a perfectly constitutional way. He realized that it was no business of his to do the work of a canvasser for Sir Abdur Rahim. But Sir John Herbert is apparently a Governor of a different type. When once he had made up his mind that I should be removed from the office of Chief Minister, he did not hesitate to adopt any measures to achieve this end' He did not hesitate to cajole me persuade me and to hold out promises which he never meant to keep. But he forgot all his

promises and cast his assurances to the winds the moment I had turned my back on Government House, and manifested all the zeal of a partisan in trying to secure colleagues for Sir Nazimuddin.

The above is by no means an exhaustive list of the many cases of unconstitutionality and partisanship on the part of Sir John Herbert. To-day the House meets for the first time after the formation of the new cabinet, and serious questions affecting not merely the welfare but even the existence of sixty millions of the people of this province will be discussed, raising issues of confidence and no-confidence in the present cabinet. It is evident that the cabinet is on its trial. During the last 3 months the food situation has degenerated to such an alarming extent that the famine conditions which are now raging in Bengal are unprecedented in the annals of this province. There are signs that the famine that seems to be impending on us will be far more disastrous and devastating than the great famine of 1770 A.D. The present cabinet knows very well that it is entirely to blame for the situation and that it is unable to cope with it effectively. In order to escape public criticism, it has gagged the press and forbidden public meetings where food problems are likely to be discussed. In these circumstances, Sir John Herbert should allow the Opposition a fair chance of focussing public opinion inside the House in order that the Assembly may come to a decision on all questions on their merits. Of all the faults of which a Governor can be guilty, the fault of partisanship is the

most reprehensible. In England or in the English colonies such an attitude of a Governor would never be tolerated. A partisan Governor is no more fit for his high office than a partisan Judge. By being a partisan he acts contrary to his Instrument of Instructions and makes himself liable to removal from office.

It is a recognised legal maxim in England that even the King cannot by any means place himself above the law of the land. In the case of overseas dominions of the Crown, the same legal maxim holds good. There the Crown's agents, Governors and Governor-Generals are not even general representatives of the Sovereign but have powers delegated to them by the terms of their commission and may act lawfully only within the limits of their commission. They receive powers which though ample and adequate for the government of the territories committed to their charge are nevertheless definite, enumerated and well-defined. A Governor who acts in contravention of the terms of his commission makes himself liable to censure, judicial punishment or recall. Thus Lord Dalhousie in 1828, Lord Aylmer in 1834 and Sir Colin Campbell in 1840 were recalled on an address of the legislature to the Crown even though the Canadian Constitution Act of the time contained no provision for such recall. Lord Sydenham, the Governor-General of Canada in 1840, saw nothing objectionable in such address of the Assembly for the removal of the Governor. Australia, New Zealand and South Africa also furnish similar instances of recall of Governors by the Crown on an address of

the Legislature though the Constitution Acts of these Dominions had no specific provision for the purpose. In the Government of India Act, 1935, the powers of discretion and individual judgment vested in the Governor-General or the Governor are hedged by the remedial methods of (a) appeal to the Federal Court, (b) appeal to the judicial Committee of the Privy Council and (c) scrutiny by the House of Commons in order to prevent "the complete dictatorship" of the Governor-General or the Provincial Governor. It is therefore an outrage on the Constitution if a Governor-General or a Governor seeks to place himself above the law of the land by the exercise of his powers of discretion or individual judgment, and the legislature owes a duty to itself to help to discover and fight for constitutional remedies against such violation.

I am afraid I have trespassed too much on the patience of the House. I think I have made it abundantly clear that the fight that is going to take place between the present Ministry and the Opposition will be a fight between the forces of reaction, of tyranny and injustice on the one hand, and the representatives of the poverty-stricken people on the other. The high and mighty, the wealthy and the affluent will be on the side of the Ministers, and Opposition will be left to play their part under numerous difficulties and disadvantages. But I can assure the Ministers and their supporters that the Opposition will not lose heart, even if the Ministers are able to tide over this crisis. It is not the votes of the members of the Opposition which they

should dread, but the tormented cries of the famine-stricken people of Bengal which will bring Gods' curses on their heads. Sooner or later, Ministers who have been profiteering at the cost of the poverty-stricken millions of Bengal will find their doom and meet their fate. Sir John Herbert may protect them for a while, but there is a power far mightier than Governors or Viceroy or Secretaries of State. The mills of God grind slowly but they grind exceeding small; and sooner perhaps than Sir John Herbert or the supporters of the Ministers may think, *nemesis* will overtake those who had rushed into office not to serve the people but to enjoy the sweets of power and emoluments.

If there is actually famine as we apprehend, there is bound to be a revolution in Bengal and what happened in Russia can happen also in this far flung corner of the Eastern Hemisphere. The Ministers are mistaken if they think that false propaganda will save them from their inevitable destiny. They will not be saved, unless Providence in His Mercy deems it fit to forgive their sins and to give them a chance of redemption. For our part, we will go on doing our duty. We will not be disappointed or broken-hearted. If we fail to dislodge the present Ministers from power, the more they remain in office, the greater will be the catalogue of their sins, and some day sooner or later, they will be humbled to the dust even as tyrants and oppressors of humanity have met their doom in the chequered history of mankind.

Sir, one word more and I have finished. I have

made certain definite allegations against His Excellency the Governor. I have charged him with partisanship and violation of his Instrument of Instructions. The charges are either true and correct, or false and incorrect. The public have a right to know whether His Excellency accepts my allegations as true and correct or otherwise His Excellency is not without his remedy. Apart from issuing Government communiques or Press Notes, His Excellency the Governor has the right to address the House and let the Members know his version of the various incidents to which I have referred in my statement. The points raised are of the utmost constitutional importance and His Excellency would be extremely ill-advised if he allows the public to draw their own conclusions from his studied silence.

XV

Memorandum to the Government

by

(S. Bhagat Singh Mr. B. K. Dutt and other Prisoners of the Punjab conspiracy case).

30th January 1930.

Sir,

With reference to our telegram dated the 20th January, 1930 reading as follows, we have not been favoured with the reply :—

Home Member, India Government ; Delhi—
“Under-trial Lahore Conspiracy case and the other political prisoners suspended hungerstrike on the assurance that the India Government was considering Provincial Jail Committee’s Reports All India Government Conference over. No action yet taken. As vindictive treatment to political prisoners still continues we request we be informed within a week final Government decision. Lahore Conspiracy under trials.”

Why they Suspended Hungerstrike. “As briefly stated in the above telegram we beg to bring to your kind notice that the Lahore Conspiracy Case under-trials and several other political prisoners confined in the Punjab Jails suspended hunger-strike on the assurance given by the members of the Punjab Jail Enquiry Committee that the question of the treat-

ment of the Political prisoners was going to be finally settled to our satisfaction within a very short period. Further after the death of our great martyr, Jatindra Nath Das the matter was taken up in the Legislative Assembly and the same assurance was made publically by Sir James Crerar. It was then pronounced that there had been a change of heart and the question of the treatment of political prisoners was receiving the utmost sympathy of the Government. Such political prisoners, who were still on hunger-strike in jails of the different parts of the country then suspended their hunger-strike on the request being made to this effect in a A.I.C.C. resolution passed in view of the said assurance and the critical condition of some of these prisoners.

“Since then all the local Governments have submitted their reports, a meeting of the Inspector-Generals of Prison of different provinces has been held at Lucknow and the deliberations of the All India Government Conference have been concluded at Delhi. The All India Conference was held in the month of December last. Over one month has passed by and still the Government of India has not carried into effect any of the final recommendations. By such dilatory attitude of the Government we no less than the General public have begun to fear that perhaps the question has been shelved. Our apprehension has been strengthened by the vindictive treatment meted out to the hunger-strikers and other political prisoners during the last four months. It is very difficult for us

to know the details of the hardships and sufferings to which the political prisoners are being subjected. Still the little information that has been trickled out of the four walls of the Jails is sufficient to furnish us with glaring instances. We give below a few such instances which we cannot but feel, is not in conformity with the Government's assurance.

"(1) Sj. B.K. Banerjee, who is undergoing 5 years imprisonment in connection with the Dakshineswar Bomb case in the Lahore Central Jail, joined the general hunger-strike last year. Now as a punishment of the same, for each day of his period of hunger-strike two days of remission so far earned by him has been forfeited. Under the usual circumstances his release was due in December last but it will be delayed by full four months.

"In the same jail similar punishment has been awarded to Baba Sohan Singh, an old man of about seventy now undergoing his sentence of transportation for life in connection with the Lahore Conspiracy Case. Besides, among others, S. Kabul Singh and S. Gopal Singh, confined in Mianwali Jail, Master Mota Singh in Rawalpindi Jail have also been awarded vindictive punishments for joining the general hungerstrike. In most of these cases the periods of punishment have been enhanced while some of them have been removed from special cases.

"(2) For the same offence i.e. joining the general hunger-strike, Messrs. Sachindra Nath Sanyal, Ram Krishana Katri and Suresh Chandra Bharta Charya

confined in Agra Central Jail, Raj-Kumar Sinha, Mon-motha, Nath Gupta, Sachindra Nath Bakhshi and several other Kakori Conspiracy case prisoners have been severely punished. It is reliably learned that Mr. Sanyal was given bar-fetters and solitary cell confinement and as a consequence there has been a breakdown in his health. His weight has gone down by 16 pounds. Mr. Bhattacharya is reported to be suffering from tuberculosis. The three Bareilly Jail prisoners have also been punished. It is learnt that all the privileges were withdrawn. Even their usual right of interviewing with relatives and communicating with them were forfeited. They have all been considerably reduced in their weight. Two press statements have been issued in this connection in September 1929 and January 1930 by Pandit Jawahar Lal Nehru,

"(3) After the passing of the A.I.C.C. resolution regarding hunger-strike the copies of the same which were wired to different political prisoners were withheld by the Jail authorities. Further the Government even refused a Congress deputation to meet the prisoners in this respect.

"(4) The Conspiracy Case undertrials were brutally assaulted on the 23rd and 24th October 1929 by orders of high police officials. Full details have appeared in the press. The copy of the statement of one of us as recorded by the Special Magistrate Pt. Sri Krishna has been duly forwarded to you in a communication dated the 16th December 1929. Neither

the Punjab Government nor the Government of India felt it necessary to reply an acknowledgment receipt of our communication praying for enquiry. While on the other hand the local Government has felt the imperative necessity of prosecuting us in connection with the very same incident for offering violent resistance.

"(5) In the last week of December 1929, Sj. Kiron Chandra Das and others confined in Lahore Borstal Jail while being taken to and produced in the Magistrate's Court were found hand cuffed and chained together in flagrant breach of the unanimous recommendations of the Punjab Jail Enquiry Committee and also of the Inspector General of Prisons, Punjab. It is further noteworthy that these prisoners were under-trials, charged for a bailable offence. A long statement issued by Dr. Mohammad Alam, Lala Duni Chand of Lahore and Lala Duni Chand of Ambala in this connection was published in the "Tribune."

To resume Hunger-Strike. "While we learnt of these and other sufferings of the political prisoners we refrained from resuming hunger-strike though we were much aggrieved, as we thought the matter was going to be finally settled at an early date. But in the light of the above instances, are we now to believe that all the untold sufferings of the hunger-strikers and the supreme sacrifice made by Jatindra Nath Das have all been in vain? Are we to understand that the Government gave its assurance only to check the growing tide of the public agitation and

to avert a crisis? We hope you will agree with us when we say that we have waited patiently for a sufficiently reasonable period of time. But we cannot wait indefinitely the Government of its dilatory attitude and the continuation of vindictive treatment of political prisoners, have let us no other option but to resume the struggle.

"We realise that to go on hunger-strike and to carry on is no easy task. But let us at the same time point out that the revolutionaries can produce many more Jains and Waziayas, Ram Rakhas and Bhan Singhs (the last two named laid down their lives in the Andaman Islands in 1917, the first breathed his last after 92 days of hunger-strike while the other died the death of a great hero after silently undergoing inhuman tortures for full six months).

"Enough has been said by us and the members of the public in justification of a better treatment of political prisoners and it is unnecessary here to repeat the same. We would, however, like to say a few words as regards the inclusion of motive as the basis and the most important factor in the matter of classification. We find that motive has altogether been excluded so far from the criteria suggested by different Provincial Governments. This is really a strange attitude. It is through motive alone that the real value of any action can be decided. Are we to understand that the Government is unable to distinguish between a robber who robs and kills his victim and a Kharag Bahadur who kills a villain and saves the

honour of a young lady and redeems society of a most licentious paradise? Are both to be treated as two men belonging to the same category! Is there no difference between two men who commit the same offence, one guided by the selfish motive and the other* by a selfless one? Similarly is there no difference between a common murderer and a political worker even if the latter resorts to violence? Does not his selflessness elevate his place from amongst those of ordinary criminals? In these circumstances we think that motive should be held as the most important factor in the criteria for classification.

Complicated Problem. Last year in the beginning of our hunger-strike, when public leaders including Dr. Gopi Chand and Lala Duni Chand of Ambala (the last named being one of the signatories to the Punjab Jail Enquiry Committee's Report), approached us to discuss the same thing and when they told us that the Government considered it impossible to treat the political prisoners convicted for offences of a violent nature as special class prisoners, then by way of compromise we agreed to the proposal to the extent of excluding those actually charged with murder. But later on the discussion took a different turn, And the coummunique containing the terms of a reference for the Punjab Jail Enquiry Committee was so worded that the question of motive seemed to be altogether excluded and the whole classification was based on the two things. (1) Nature of offence, and (2) The Social Status of the offenders. This criteria* instead

of solving the problem made it all the more complicated.

"We could understand two classes amongst the political prisoners. Those charged for non-violent offences and those charged for violent ones. But then creeps in the question of social status in the report of the Punjab Jail Enquiry Committee. As Chowdhary Afzal Haq has pointed out, and rightly too, in his note of dissent to this report what would be the fate of those political workers who have been reduced to paupers due to their honorary services in the cause of freedom ? Are they to be left at the mercy of Magistrate who will always try to prove the *bona fides* of his loyalty by classifying every one as an ordinary convict ? Or is it expected that a non co-operator will stretch his hand before the people against whom he is fighting as an opponent begging for better treatment in jail ? Is this the way of removing the causes of dissatisfaction or rather intensifying them ? It might be argued that people living in poverty outside the jail should not expect luxuries inside the jail where they are detained for the purpose of punishment. But are the reforms that are demanded of a nature of luxury ? Are they not the bare necessities of life according to even the most moderate standard of living ? Instead of all the facilities that can possibly be demanded jails will remain jails. This prison in itself does not contain and cannot contain magnetic power to attract the people from outside. No body will commit offences simply to come to jail. Moreover, may we venture to say that it is very poor

argument on the part of the Government to say that its citizens have been driven to such extreme destitution that their standard of living has fallen even lower than that of their jails? Does not such an argument cut at the very root of that Government's right of existence?

Separate class for political Prisoners. "Any how, we are not concerned with that at present. What we want to say is that the best way to remove the prevailing dissatisfaction would be to classify political prisoners as such into a separate class which may further be subdivided, if need be, into two classes, one for those convicted of non-violent offences and the other for persons whose offences include violence. In that case, motive will become one of the deciding factors. To say that motive cannot be ascertained in the political cases is a hypocritical assertion. What is it that today prompts the Jail authorities to deprive the "Politicals" even of the ordinary privileges? What is it that deprives them of the special grades or numberdaries etc; What does make the authorities to keep them aloof and separate from all other convicts? The same things can help in the classification also.

"As for the specific demands we have already stated them in full in our memorandum to the Punjab Jail Enquiry Committee. We should, however, particularly emphasise that no political prisoner, whatever his offence may be, should be given any hard and undignified labour for which he may not have apti-

tude. All of them confined in any one Jail should be kept together in the same ward. At least one standard daily newspapers in Vernacular or English should be given to them. Full and proper facilities for study should be granted. Lastly, they should be allowed to supplement their expenses for diet and clothing from their private sources.

"We still hope that the Government will carry into effect without further delay its promise made to us and to the public so that there may not be another occasion for resuming the hunger-strike. Unless and until we find a definite move on the part of the Government to redeem its promise, in the course of the next few days we shall be forced to resume hunger-strike."

XVI

Lahore Conspiracy Case Prisoners Refusal to Attend Court.

11th February 1930.

Special Magistrate

Lahore Conspiracy Case.

"In view of your statement and order, dated the 4th February, 1930 published in the "Civil and Military Gazette" bearing the date of 6th February, we feel it necessary to make a statement clearing the position of the accused as regards their "refusal" to come to your court so that any sort of misunderstanding and misrepresentation may not be possible.

"In the first place we should like to point out that we have not so far boycotted all the British Courts. We are attending the Court of Mr. Lewis,

who is trying us under section 32 of the Prison Act for the occurrence dated January 29, in your Court. But there are special circumstances that forced us to take this step in connection with the Lahore Conspiracy Case. We have been feeling from the very beginning that due to the non-feasant attitude of the Court, and misfeasance and malfeasance on the part of jail and police or other authorities, we are being harrassed ceaselessly but deliberately with a view to hamper our defence. Many of our grievances had been placed before you in a bail application a few days back. But while rejecting that petition on some legal grounds, you did not feel the necessity of even making a mention of the grievances of the accused, on the ground of which a prayer to bail was made.

"We feel that the first and foremost duty of a Magistrate is to keep his attitude quite impartial up and above both the prosecution and the defence parties. Even the Hon. Justice Ffords gave ruling that day, telling the Magistrate to be ever at an arm's length from the prosecution. The second most important thing that a Magistrate ought to keep by him is to see if the accused have any genuine difficulty in connection with the defence and to remove if any, otherwise the whole trial is reduced to a mere farce. But contrary has been the conduct of the Magistrate in such an important case where 18 youngmen are being tried for such offences as murder, dacoity and conspiracy for such they may, very likely, be sentenced to death.

"The main grounds on which we were forced not to attend your Court are to be following "

"(1) Majority of the accused hail from distant provinces and all are middle class people. In these circumstances it is very difficult nay altogether impossible for their relatives to come here every 'now and then to help them in their defence. They wanted to hold interviews with some of their friends whom they could entrust with all the responsibilities of their defence. Even commonsense says that they are entitled to those interviews. But in this court the repeated requests made to that effect have, one and all, gone unheard,

"Mr. B.K. Dutt belongs to Bengal and Mr. Kanwal Nath Tiwari to Behar. Both of them wanted to interview their friends Shrimati Kumari Lajyawati and Shrimati Prabha Devi respectively. But the Court forwarded all their applications to the Jail authorities who in their turn rejected them on the plea that interviews could be allowed to relatives and counsel only. Again the matter was brought to your notice, but no step was taken to enable the accused to make the necessary arrangements for their defence. Even after they had appointed those friends as their attorneys, and the attorney's power has been attested by this very Court no interview was allowed to them. And the Magistrate even refused to write to the Jail authorities that the accused demanded the said interview's for defence purposes in connection with the case which he himself was trying. And the

accused thus handicapped could not even move the Higher Courts. But the trial was being proceeded with. In these circumstances the accused felt quite helpless and for them the trial had no other value than a mere farcical show. It is noteworthy that the majority of the accused were going unrepresented.

"I am an unrepresented accused and could not afford to engage whole time counsel to represent me throughout the lengthy trial. I wanted his legal advice on certain points. And at a certain stage I wanted him to watch the proceedings personally to be in a better position to form his own opinion. But he was refused even a seat in the body of the Court. Was this not a deliberate move on the part of the authorities concerned to harass us to hamper our defence? Counsels attend the Courts to watch the interests of their clients who are not present, nor even represented by them. What are the 'special circumstances of his case' that forced the Magistrate to adopt such a rude attitude towards a barrister, thus discouraging any Counsel who might be invited to come to assist the accused? What was the justification in allowing L. Amar Das to occupy the chair of defence. when he no longer represented any party nor gave any legal advice to any person? I was to discuss with my legal adviser the question of interviews with attorney, and to instruct him to move the High Court on this point. But I could not get the opportunity to discuss it with him at all and nothing could be done. What does this all amount to? Is this

not throwing dust into the eyes of the public by showing that the trial is being held quite judicially, though on the other hand, due to all this high-handedness, the accused do not absolutely get any opportunity to make any arrangements for their defence. This is what we protest against.

"Either there shall be a fair play or no show even. We cannot see injustice being done in the name of Justice. In these circumstances we all thought fit that either we should have a fair chance of defending ourselves or be prepared to bear the sentence passed against us in a trial held in our absence.

"The third main grievance is about supply of the newspapers. The under trials as such should never be treated as convicts, and only such restriction can be justifiably imposed upon them as may be extremely necessary for their safe custody. Nothing beyond that can be justified. The accused, who cannot be released on bail, should never be subjected to such hardships which may amount to punishment. Hence every literate under-trial is entitled to get at least one standard daily newspaper. The "Executive" agreed on certain principle to give one daily English newspaper in the Court.

But things done by half are worst than not being done at all. But repeated requests asking for vernacular paper for non-English-reading accused proved to be futile. We had been returning "The Tribune" daily in protest against the order refusing a vernacular paper. Anyhow those were the three main grounds on which we announced on the 29th January about our refusal to come to the Court. As soon as these grievances will be removed we will ourselves quite willingly come to attend the Court.

XVI

Gandhi Sir Samuel Hoare Correspondence

Yervada Central Prison, March 11th 1932

“ You will perhaps recollect that at the end of my speech at the Round Table Conference when the minorities claim was presented, I had said that I should resist with my life the grant of separate electorate to the Depressed Classes. This was not said in the heat of the moment nor by way of rhetoric. It was meant to be a serious statement.

“In pursuance of that statement I had hoped, on my return to India, to mobilize public opinion against separate electorate, at any rate for the Depressed classes. But it was not to be.

“From the newspapers I am permitted to read, I observe that any moment His Majesty's Government may declare their decision. At first, I had thought that if the decision was found to create separate electorates for the Depressed Classes, [I should take such steps as I might then consider necessary to give effect to my vow. But I feel it would be unfair to the British Government for me to act without giving previous notice. Naturally, they could not attach the significance I give to my statement.

“I need hardly reiterate all the objections I have to the creation of separate electorates for the Depressed Classes. I feel as if I was one of them. Their case stands on a wholly different footing from that of others. I am not against their representation in the

legislatures. I should favour everyone of their adults, male and female, being registered as voters-irrespective of education or property qualifications, even though the franchise last may be stricter for others. But I hold that separate electorate is harmful for them, and for Hinduism, whatever it may be from a purely political standpoint. To appreciate the harm that separate electorates would do them, one has to know how they are distributed amongst the so-called Caste-Hindus and how dependent they are on the latter. So far as Hinduism is concerned, separate electorate would simply vivisect and disrupt it. For me, the question of these classes is predominantly moral and religious. The political aspect, important though it is, dwindles into insignificance compared to the moral and religious issue. You will have to appreciate my feelings in this matter by remembering that I have been interested in the condition of these classes from my boyhood, and have more than once staked my all for their sake. I say this not to pride myself in any way. I feel that no penance caste-Hindus may do can, in any way, compensate for the calculated degradation to which they have consigned the Depressed Classes for centuries. But I know that separate electorate is neither penance nor any remedy for the crushing degradation they have groaned under.

"I therefore respectfully inform His Majesty's Government that, in the event of their decision creating separate electorate for the Depressed Classes, I must fast unto death. I am painfull conscious of the

fact that such a step, whilst I am a prisoner, must cause grave embarrassment to His Majesty's Government, and that it will be regarded by many as highly improper on the part of one holding my position to introduce into the political field, method which they would describe as hysterical, if not much worse. All that I can urge in defence is that, for me, the contemplated step is not a method, it is a part of my being. It is the call of conscience which I dare not disobey even though it may cast whatever reputation for sanity I may possess.

"So far as I can see now, my discharge from imprisonment would not make the duty of fasting any the less imperative. I am hoping, however, that all my fears are wholly unjustified and that the British Government have no intention whatever of creating separate electorate for the Depressed Classes.

"It is perhaps as well as for me to refer to another matter that is agitating me and which may also enforce a similar fast. It is the way repression is going on. I have no notion when I may receive the shock that would compel the sacrifice. Repression appears to me to be crossing what might be called legitimate. Government terrorism is spreading through the land. Both English and Indian officials are being brutalised. The latter, high and low, are becoming demoralised by reason of the Government regarding as meritorious, disloyalty to the people and inhuman conduct towards their own kith and kin. The latter are being cowed down. Free speech has been stifled. Goondalism is

being practised in the name of law and order. Women who have come out for the public service stand in the fear of their honour being insulted. And all this, as it seems to me, is being done in order to crush the spirit of freedom which the Congress represents. Repression is not confined to punishing civil breaches of the common law. It goads people to break the newly made Orders of autocracy, designed for the most part, to humiliate them.

"In all these doings, as I read them, I see no spirit of democracy. Indeed, my recent visit to Enland has confirmed my opinion that your democracy is a superficial circumscribed thing. In the weightiest matters, decisions are taken by individuals or groups without any reference to the Parliament and these have been ratified by members having but a vague notion of what they were doing. Such was the case with Egypt and the war of 1914 and such is the case with India. My whole being rebels against the idea that in a system called democratic, one man should have unfettered power of affecting the destiny of an ancient people numbering over three hundred millions, and that his decisions can be enforced by mobilising the most terrible forces of destruction. To me this is a negation of democracy.

"And this repression cannot be prolonged without further embittering the already bitter relations between the two people. In so far as I am responsible and can help it, how am I to arrest the process? Not by stopping Civil Disobedience. For me it is an article

of faith. I regard myself by nature a democrat. The democracy of my conception is wholly inconsistent with the use of physical force for enforcing its will. Civil Resistance, therefore, has been conceived to be a proper substitute for physical force, to be used wherever generally the latter is held necessary or justifiable. It is a process of self-suffering, and a part of the plan is that in given circumstances, a civil resister must sacrifice himself even by fasting to a finish. That moment has not yet arrived for me. I have no undeniable call from within for such a step. But events happening outside are alarming enough to agitate my fundamental being. Therefore, in writing to you about the possibility of a fast regarding the Depressed Classes, I felt I would be untrue to you if I did not tell you also there was another possibility, not remote, of such a fast.

"Needless to say, from my side absolute secrecy has been maintained about all the correspondence I have carried on with you. Of course, Sardar Vallabhbhai Patel and Mr. Mahadev Desai, who have just been sent to join us know all about it. But you will no doubt make whatever use you wish of this letter."

Sir Samuel Hoare's Reply

The following is the letter dated April 13th, 1932 from Sir Samuel Hoare to Mahatma Gandhi:—

"I write in answer to your letter of the 11th March and I say at once that I realise fully the strength of your feeling upon the question of separate electorates for the depressed classes. I can only say that we

Intend to give you any decision that may be necessary solely and only upon the merits of the case. As you are aware, Lord Lothian's Committee has not yet completed its tour, and it must be some weeks before we can receive any conclusion which it may have arrived. When we receive the report we shall have to give most careful consideration to its recommendations and we shall not give a decision until we have taken into account; in addition to the views expressed by the committee, the views that you and those who think with you have so forcibly expressed. I feel sure that if you were in our position, you would be taking exactly the same action we intend to take. You would await the Committee's Report, you would then give it your fullest consideration, and before arriving at a final decision, would take into account the views that have been expressed on both sides of the controversy. More than this, I cannot say. Indeed, I do not imagine that you would expect me to say more.

"As to the ordinances, I can only repeat what I have already said, both publicly and privately. I am convinced that it was essential to impose them in the face of the deliberate attack upon the very foundations of ordered Government. I am also convinced that both the Government of India and the Local Government are not abusing their extensive powers and are doing everything possible to prevent excessive or vindictive action. We shall not keep the emergency measures in force any longer than we are obliged to for the purpose of maintaining the essentials of law

and order, and protecting our officials and other classes of the community against terrorist outrages."

Gandhiji's — MacDonald

The following is a letter from Gandhiji, dated Yervada Central Prison, August 18, to the Prime Minister :—

"There can be no doubt that Sir Samuel Hoare has showed you and the Cabinet my letter to him of 11th March on the question of the representation of the 'Depressed Classes'. That letter should be treated as part of this letter, and be read together with this.

"I have read the British Government's decision on the representation of the minorities and have slept over it. In pursuance of my letter to Sir Samuel Hoare and my declaration at the meeting of the Minorities Committee of the Round Table Conference on the 13th November 1931, at St. James' Palace, I have to resist your decision with my life. The only way I can do so is by declaring a perpetual fast unto death from food of any kind save water with or without salt and soda. This fast will cease if during its progress, the British Government, of its own motion or under the pressure of public opinion, revise their decision and withdraw their scheme of communal electorates for the Depressed classes, whose representative should be elected by general electorates under common franchise—no matters how wide it is.

"The proposed fast will come into operation in the ordinary course from the noon of 20th September next, unless the said decision is meanwhile revised in

the manner suggested above.

"I am asking the authorities here to cable the text of this letter to you, so as to give you ample notice. But, in any case, I am leaving sufficient time for this letter to reach in time by the slowest route.

"I also ask that this letter and my letter to Sir Samuel Hoare, already referred to, be published at the earliest possible moment. On my part, I have scrupulously observed the rule of the Jail, and have communicated my desire or the contents of the two letters to no one save my two companions Sardar Vallabhbhai Patel and Smt. Mahadev Dasai. But I want, if you make it possible, public opinion to be affected by any letters. Hence, my request for their early publication.

"I regret the decision that I have taken. But as a man of religion that I hold myself to be, I have no other course left open to me. As I have said in my letter to Sir Samuel Hoare, even if His Majesty's Government decided to release me in order to save themselves embarrassment, my fast will have to continue. For I cannot now hope to resist the decision by any other means. And I have no desire whatsoever to compass my release by any means other than honourable.

"It may be that my judgment is warped, and that I am wholly in error in regarding separate electorates for the 'Depressed Classes' as harmful to them or Hinduism. If so, I am not likely to be in the right with reference to other parts of my philosophy of life. In that case, my death by fasting will be at once a penance for my error, and a lifting of a weight from off

those numberless men and women who have a child like faith in my wisdom. Whereas if my judgment is right, as I have little doubt it is, the contemplated step is but a due fulfilment of the scheme of life which I have tried for more than a quarter of a century apparently not without considerable success.

The Premier's Reply

Letter from Mr. Ramsay MacDonald, 10 Downing Street, dated September, 8th 1932.—

I have received your letter with much surprise, and let me add with very sincere regret. Moreover, I cannot help thinking that you have written it under a misunderstanding as to what the decision of His Majesty's Government as regards the Depressed classes really implies.

"We have always understood that you were irrevocably opposed to permanent segregation of the Depressed classes from the Hindu community. You made your position very clear on the Minorities Committee of the Round Table Conference, and you expressed it again in the letter you wrote to Sir Samuel Hoare on the 11th March. We also knew that your view was shared by a great body of Hindu opinion, and therefore took it into most careful account when we were considering the question of the representation of the Depressed classes.

"Whilst in view of the numerous appeals we have received from the Depressed Classes organisations and the generally admitted social disabilities under which they labour, and which you have recognised, we felt it

our duty to safeguard what we believed to be the right of the Depressed Classes to a fair proportion of representation in the legislatures, we were equally careful to do nothing that would split off their community from the Hindu world. You yourself stated in your letter of March 11th that you were not against their representation in the legislatures. Under the Government's scheme, the Depressed Classes will remain part of the Hindu community and will vote with the Hindu electorate on an equal footing, but for the first twenty years, while still remaining electorally part of the Hindu community, they will receive through a limited number of special constituencies, the means of safeguarding their rights and interests that we are convinced is necessary under the present conditions. Where these constituencies are created, the members of the Depressed Classes will not be deprived of their votes in the general Hindu constituencies, so that their membership of the Hindu community should remain unimpaired. We decided against the creation of what you described as communal electorate for the Depressed Classes voters in the general or Hindu constituencies, so that the higher caste candidates should have to solicit their votes of higher castes at the election. Thus, in every way, was the unity of Hindu society preserved.

"We felt, however, that during the early period of Responsible government, when power in the Provinces would pass to whoever possessed a majority in the Legislature, it was essential that the Depressed Classes

whom you have yourself described in your letter to Sir Samuel Hoare as having been consigned by Caste-Hindus to calculated degradation for centuries, should return a certain number of members of their own choosing to the legislatures of seven of the nine Provinces to voice their grievances and their ideals and prevent decisions 'going against them without the legislature and government listening to their case—in a word to place them in a position to speak for themselves, which every fair-minded person must agree to be necessary. We did not consider the method of electing special representatives by reservation of seats in the existing conditions under any system of franchise which is practicable, of members who could genuinely represent them and be responsible for them, because in practically all cases such members would be elected by a majority consisting of the Higher Caste Hindus.

"The special advantage initially given under our scheme to the Depressed Classes by means of a limited number of special constituencies in addition to their normal electoral rights in the general Hindu constituencies, is wholly different in conception and effect from the method of representation adopted for a minority such as, Moslems, by means of separate communal electorate. For example, a Moslem can not vote or be a candidate in a general constituency, whereas any electorally qualified member of the Depressed Classes can vote in and stand for general constituency. The number of territorial seats allotted

to Moslems is naturally conditioned by the fact that it is impossible for them to gain any further territorial seats, and in most provinces they enjoy weightage in excess of their population ratio. The number of special seats to be filled from special Depressed Class constituencies will be seen to be small, and has been fixed, not to provide a quota numerically appropriate for the total representation of the whole of the Depressed Class population, but solely to secure a minimum number of spokesman for the Depressed Classes in the legislature who are chosen exclusively by Depressed Classes. The proportion of their special representation is everywhere much below the population percentage of the Depressed Classes.

"As I understand your attitude, you propose to adopt the extreme course of starving yourself to death, not in order to secure that the Depressed Classes should have joint electorates with other Hindus, because that is already provided, nor to maintain the unity of the Hindus, which is also provided, but solely to prevent the Depressed Classes, who admittedly suffer from terrible disabilities to-day, from being able to secure a limited number of representatives of their own choosing to speak on their behalf in the legislatures, which will have a dominating influence over their future. In the light of these very fair and cautious proposals, I am quite unable to understand the reason of the decision you have taken and can only think that you have made it under a misapprehension of the actual.

" In response to a very general request from Indians after they had failed to produce a settlement themselves, the Government, much against its will, undertook to give a decision on the Minorities question. They have now given it, and they can not be expected to alter it except on the conditions they have stated. I am afraid, therefore, that my answer to you must be that the Government's decision stands, and that only an agreement of the communities themselves can substitute other electoral arrangements for those that the Government have devised, in a sincere endeavour to weigh conflicting claims on their just merit.

" You ask that these correspondence, including your letter to Sir Samuel Hoare of March 11th should be published. As it would seem to me unfair if your present internment were to deprive you of the opportunity of explaining to the public the reason why you intend to fast, I readily accede to the request if, on reconsideration, you repeat it. Let me, however, once again urge you to consider the actual details of the Government's decision, and ask yourself seriously the question whether it really justifies you in taking the action you contemplate."

Gandhiji's final letter to MacDonald

Yeravada Central Prison 9th September 1932

" I have to thank you for your frank and full letter telegraphed and received this day. I am sorry, however, that you put upon the contemplated step on interpretation that never crossed my mind. I have

claimed to speak on behalf of the very class, to sacrifice whose interests you impute to me a desire to fast myself to death. I had hoped that the extreme step itself would effectively prevent any such selfish interpretation. Without urging, I affirm, that for me, this matter is one of pure religion. The mere fact of the Depressed Classes having double votes does not protect them or the Hindu Society in general from being disrupted. In the establishment of separate electorate at all for the Depressed Classes, I sense the injection of a position that is calculated to destroy Hinduism and do no good whatever to the Depressed Classes.

"You will please permit me to say; no matter how sympathetic you may be, you cannot come to a correct decision on a matter of such vital and religious importance to the parties concerned. I should not be against even over-representation of the Depressed Classes. What I am against is their statutory separation, even in a limited form, from the Hindu fold so long as they choose to belong to it.

"Do you realise that, if your decision stands and the constitution comes into being, you arrest the marvellous growth of the work of the Hindu reformers who have dedicated themselves to the uplift of their suppressed brethren in every walk of life? I have therefore been compelled reluctantly to adhere to the decision conveyed to you.

"As your letter may give rise to a misunderstanding, I wish to state that the fact of my having isolated for special treatment the Depressed Classes question from other parts of your decision does not in any way mean that I approve of or am reconciled to other parts of the decision. In my opinion, many other parts are open to a very grave objection. Only, I do not consider them to be any warrant for calling from me such self-immolation as my conscience has prompted me to in the matter of the Depressed Classes."

